

rolled Bills, have had S. B. No. 49 carefully examined and compared and find the same correctly enrolled, and have this day at 3:55 o'clock p. m., presented the same to the Governor for his approval.

WITT, Chairman.

Committee Reports.

Austin, Texas, June 27, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 199, A bill to be entitled "An Act making appropriation for the establishment and maintenance of a cotton fiber laboratory under the supervision of A. & M. College, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

POLLARD, Chairman.

Committee Room,

Austin, Texas, June 27, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 182, A bill to be entitled "An Act making an appropriation for the erection of a monument in memory of John W. McFarlane, deceased; providing for the erection of said monument; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed in the Journal only.

POLLARD, Chairman.

By Greer.

S. B. No. 182.

A BILL

To Be Entitled

An Act making an appropriation for the erection of a monument in memory of John W. McFarlane, deceased; providing for the erection of said monument; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. The sum of Ten Thousand Dollars is hereby appropriated, the same or so much thereof as may be necessary to be used to erect a monument in memory of the late

John W. McFarlane of Anderson County, commonly known as the "Cotton King."

Sec. 2. A commission of three citizens shall be appointed to have same erected. Said monument shall be erected at the grave of the said John W. McFarlane, and said Commission shall advertise for bids for same after advertisement in three newspapers of general circulation for thirty days, and shall let the erection contract to the lowest and best bidder. Before advertising, said Board shall have prepared plans and specifications for the monument.

Sec. 3. The fact that John W. McFarlane during his lifetime rendered valuable services to the people in connection with improved methods of cotton growing which should be recognized in a public way, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be and the same is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

SEVENTEENTH DAY.

Senate Chamber,

Austin, Texas,

Friday, June 28, 1929.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Prayer by the Chaplain.

Pending the reading of the Jour-

nal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Woodward:

S. B. No. 200, A bill to be entitled "An Act making an appropriation to pay the salaries of assistant district attorneys authorized by the provisions of Chapter 297 of the Acts of the Regular Session of the Forty-first Legislature; and declaring an emergency."

Read first time and referred to Committee on Finance.

S. C. R. No. 21.

Senator Woodul sent up the following resolution:

Whereas, Hon. Nicholas Longworth, Speaker, House of Representatives, is one of the outstanding figures in our national life; and,

Whereas, Mr. and Mrs. Longworth both hold a high place in the esteem and affections of all Texans; and,

Whereas, the Houston Knife and Fork Club have invited Mr. and Mrs. Longworth to visit Texas as its guests; now, therefore, be it

Resolved by the Senate, the House concurring, That the Forty-first Legislature of Texas join the Houston Knife and Fork Club in inviting Mr. and Mrs. Longworth to visit the State of Texas. Be it further

Resolved, That a copy of these resolutions be telegraphed the said Hon. Nicholas Longworth by the Secretary of the Senate.

Woodul, Beck, Patton, Thomason, and Cousins.

Read and adopted.

Messages From the House.

The Chair recognized the Doorkeeper who introduced a messenger from the House with the following messages:

Hall of the House of Representatives, Austin, Texas, June 28, 1929.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House

to inform the Senate that the House has passed the following bills:

H. B. No. 95, A bill to be entitled "An Act further regulating the operation of vehicles on the public highways; limiting the size and weight of vehicles and loads permitted on any public highway; requiring lights on certain vehicles not heretofore by law required to carry lighting equipment; restricting the stopping or parking of a vehicle on the improved portion of a highway; providing for the erection and maintenance of signs or markers on the State highways; prescribing restrictions regarding the speed of any vehicle; prescribing penalties for violations of this Act; providing for appointment of inspectors to enforce the provisions of this Act and other laws relating to vehicles and traffic on the public highway; repealing all laws or parts of laws in conflict herewith and declaring an emergency."

S. B. No. 153, A bill to be entitled "An Act providing that when a claim or claims are filed under Chapter 17, of the General Laws of the State of Texas, passed by the Regular Session of the Thirty-ninth Legislature, that a bond may be filed providing the amount and terms of such bond for notice, and prescribing period of the limitation of action to enforce such bond; providing incidental matters; and declaring an emergency."

With amendment.

S. B. No. 9, A bill to be entitled "An Act authorizing the Governor to appoint a commission of three citizens of the State of Texas to acquire by purchase, condemnation or otherwise, all remaining property now privately owned in the block bounded by Alamo Plaza, Nacogdoches and East Houston Streets in the City of San Antonio, surrounding the historic Alamo, for the State of Texas; prescribing the duties of such commission, and describing the land to be purchased; authorizing condemnation proceedings; making appropriation for the acquisition thereof and the expenses in connection therewith; directing how and when the same shall be paid for; and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, June 28, 1929.
Hon. Barry Miller, President of the
Senate.

Sir: I am directed by the House to inform the Senate that the House has concurred in Senate Amendments to H. B. No. 81 by a vote of 102 yeas and 0 nays.

The House has adopted the following House Concurrent Resolution:

H. C. R. No. 11. Authorizing certain corrections to be made in H. B. No. 1.

S. C. R. No. 16, Providing for the appointment of a committee to investigate Milford College.

The House has concurred in Senate Amendments to H. B. No. 167 by a vote of 107 yeas and 1 nay.

S. C. R. No. 19, providing for the printing of the session laws of the First and Second Called Session of the Forty-first Legislature.

S. C. R. No. 15, providing for the appointment of a Joint Committee from the House and Senate to confer with a like Committee from the Legislature of New Mexico, relative to the adjustment of certain property rights.

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, June 28, 1929.
Hon. Barry Miller, President of the
Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 23, A bill to be entitled "An Act setting forth the policy of the State of use of the funds derived from the lease and sale of the American Legion Memorial Sanatorium of Texas in building memorial armories for the Texas National Guard as a monument to the war dead of the State; appropriating two hundred and fifty thousand dollars (\$250,000.00) per year for the next two fiscal years to build memorial armories; setting forth conditions for their construction; providing that the title to the grounds and armories shall vest in the State; creating an Armory Board for location and administration of armories, and describing the personnel; providing for the method of payment of funds from the Treasury; providing for local management of armories, and

describing the methods; setting forth the list of organizations entitled to use of armories, and declaring an emergency."

H. B. No. 29, A bill to be entitled "An Act prohibiting the shooting or discharging of any gun, pistol, or firearm of any kind in or along or across any public road in this State, and prescribing a penalty therefor."

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, June 28, 1929.
Hon. Barry Miller, President of the
Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

S. C. R. No. 22, Requesting the return of H. B. No. 79 to the Senate for their further consideration.

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, June 28, 1929.
Hon. Barry Miller, President of the
Senate.

Sir: I am directed by the House to inform the Senate that in compliance with S. C. R. No. 16, which provides for a joint committee from the House and Senate to investigate conditions of Milford College, the following have been appointed on the part of the House:

Holder, Brooks, Long of Houston.
Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, June 28, 1929.
Hon. Barry Miller, President of the
Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 21, A bill to be entitled "An Act repealing Art. 727a of the Code of Criminal Procedure of the State of Texas, said Article constituting what is known as the Evidence Clause of the Search and Seizure Act passed by the Thirty-ninth Legislature of the State of Texas, and declaring an emergency."

S. B. No. 121, A bill to be entitled "An Act fixing the compensation of district attorneys in each judicial district composed of two or more counties; prescribing how the same shall be paid; and declaring an emergency."

S. B. No. 169, A bill to be entitled "An Act to amend Article 7298, Revised Statutes of 1925, and to prevent delinquent tax payers from pleading statute of limitation by way of defense against the payment of any taxes due from him or her either to the State, County, City, etc., and declaring an emergency."

With amendments.

S. B. No. 11, A bill to be entitled "An Act further regulating the operation of vehicles on the public highways; limiting the size and weight of vehicles and loads permitted on any public highway; requiring lights on certain vehicles not heretofore by law required to carry lighting equipment; restricting the stopping or parking of a vehicle on the improved portion of a highway; providing for the erection and maintenance of signs or markers, on the State Highways, prescribing restrictions regarding the speed of any vehicle; prescribing penalties for violations of this Act; providing for appointment of inspectors to enforce the provisions of this Act and other laws relating to vehicles and traffic on the public highways; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

With amendments as substituted.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, June 28, 1929.
Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House grants the request of the Senate for the appointment of a Free Conference Committee on S. B. No. 11. The following are appointed on the part of the House:

Beck, Hubbard, McCombs, Murphy, and Hornaday.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, June 28, 1929.
Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has refused to concur in Senate Amendments to H. B. No. 163 and requests the Senate for the appointment of a Free Conference Committee to adjust the differences between the two Houses. The following are appointed on the part of the House:

Sanders, Murphy, Shaver, Turner, and Long of Houston.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Simple Resolution No. 25.

Senator Love sent up the following resolution:

Whereas, the following press dispatch was published in the Austin Statesman of June 24th, 1929:

U. S. Embassy to be Dry Under Dawes Control.

London, June 24. (INS)—Under the administration of Gen. Charles Gates Dawes, new American Ambassador to the Court of St. James, the United States Embassy here will be "bone dry."

This was learned today when Ambassador Dawes was questioned as to whether he would take steps to dry up the Embassy completely, now that he has taken control.

The Ambassador's answer was characteristically brief and to the point:

"I never served liquor in my home in America," he said, "and I see no reason to change the custom now."

Resolved, That the Senate of Texas congratulates Ambassador Dawes, and the country, upon the courageous avowal of his purpose to support and uphold an American ideal expressed in the Constitution of the United States.

LOVE.

The resolution was read.

Senator Parrish sent up the following amendment:

Amend the resolution by adding to the end of said resolution the following:

Resolved, Further, that we con-

gratulate Gov. Dan Moody and Senator Archie Parr for refraining from drinking intoxicating liquor.

PARRISH.

The amendment was read.

Senator DeBerry moved the previous question on the amendment and the resolution.

Senator Wirtz called for a division of the question.

The previous question was ordered on the amendment.

The previous question was ordered on the adoption of the resolution by the following vote:

Yeas—15.

Beck.	Parr.
Berkeley.	Parrish.
Cunningham.	Small.
DeBerry.	Thomason.
Gainer.	Westbrook.
Hardin.	Witt.
Love.	Woodward.
McFarlane.	

Nays—11.

Cousins.	Russek.
Greer.	Stevenson.
Holbrook.	Williamson.
Miller.	Wirtz.
Moore.	Woodul.
Neal.	

Absent.

Hornsby.	Patton.
Hyer.	Pollard.
Martin.	

The amendment was adopted by the following vote:

Yeas—16.

Beck.	Parrish.
Cousins.	Russek.
Gainer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Miller.	Wirtz.
Moore.	Witt.
Neal.	

Nays—7.

Berkeley.	Love.
Cunningham.	McFarlane.
DeBerry.	Woodul.
Greer.	

Present—Not Voting.

Parr.	Woodward.
Williamson.	

Absent.

Hyer.	Patton.
Martin.	Pollard.

The resolution as amended was lost by the following vote:

Yeas—11.

Beck.	Neal.
Hardin.	Parrish.
Holbrook.	Stevenson.
Hornsby.	Westbrook.
Love.	Woodul.
McFarlane.	

Nays—14.

Berkeley.	Parr.
Cousins.	Russek.
Cunningham.	Small.
Gainer.	Thomason.
Greer.	Williamson.
Miller.	Wirtz.
Moore.	Witt.

Present—Not Voting.

DeBerry.	Woodward.
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Absent.

Hyer.	Patton.
Martin.	Pollard.

Senate Bill No. 195.

Senator Neal received unanimous consent to take up the following bill:
By Senator Neal.

S. B. No. 195, A bill to be entitled "An Act making an appropriation for the benefit of James School District No. 52 in Shelby County, Texas, on account of recent destruction of the school property in said district; etc., and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Neal the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 195 was put on its third reading and final passage, by the following vote:

Yeas—31.

Beck.	Holbrook.
Berkeley.	Hornsby.
Cousins.	Hyer.
Cunningham.	Love.
DeBerry.	Martin.
Gainer.	McFarlane.
Greer.	Miller.
Hardin.	Moore.

Neal.	Thomason.
Parr.	Westbrook.
Parrish.	Williamson.
Patton.	Wirtz.
Pollard.	Witt.
Russek.	Woodul.
Small.	Woodward.
Stevenson.	

Read third time.

Senator Miller sent up the following amendment:

Amend the bill by inserting \$3,000 instead of \$4,000 wherever it appears.

MILLER.

The amendment was read and lost by the following vote:

Yeas—7.

Cunningham.	Moore.
DeBerry.	Parrish.
Gainer.	Russek.
Miller.	

Nays—17.

Beck.	Parr.
Berkeley.	Patton.
Cousins.	Stevenson.
Greer.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Witt.
Love.	Woodul.
McFarlane.	Woodward.
Neal.	

Present—Not Voting.

Wirtz.

Absent.

Hardin.	Pollard.
Hyer.	Small.
Martin.	Williamson.

Senator Love moved the previous question on the further consideration of the bill. The motion prevailed.

The bill finally passed by the following vote:

Yeas—22.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Greer.	Russek.
Holbrook.	Small.
Hornsby.	Stevenson.
Hyer.	Thomason.
Love.	Westbrook.
McFarlane.	Witt.
Moore.	Williamson.

Woodul.	Woodward.
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Nays—4.

Cunningham.	Gainer.
DeBerry.	Miller.

Present—Not Voting.

Wirtz.

Absent.

Hardin.	Patton.
Martin.	Pollard.

Reason for Vote.

I vote "no" on this bill because, according to the author's statement, the bill appropriates \$400 more than the actual property damage to school.

MILLER.

S. C. R. No. 22.

Senator Holbrook sent up the following resolution:

Resolved, That the House of Representatives be requested to return to the Senate H. B. No. 79 for the purpose of re-considering the vote by which the bill finally passed the Senate and for the purpose of correction.

HOLBROOK.

Read and adopted.

Senate Bill No. 34.

Senator Berkeley called up from the table the following bill:

By Senator Berkeley:

S. B. No. 34, A bill to be entitled "An Act amending Section 3, of an Act passed by the First Called Session of the Forty-first Legislature known as H. B. No. 180, etc., and declaring an emergency."

Senator Berkeley sent up the following amendment:

Amend S. B. No. 34, page 1, line 8, same being line 3 of Section 3, quoted in said bill, by placing a period after the second word control in said line 8, and striking out all the remainder of said line 8 and all of line 9.

BERKELEY.

Read and adopted by the following vote:

Yeas—30.

Beck.	DeBerry.
Berkeley.	Gainer.
Cousins.	Greer.
Cunningham.	Hardin.

Holbrook.	Pollard.
Hornsby.	Russek.
Hyer.	Small.
Love.	Stevenson.
McFarlane.	Thomason.
Miller.	Westbrook.
Moore.	Williamson.
Neal.	Wirtz.
Parr.	Witt.
Parrish.	Woodul.
Patton.	Woodward.

Absent.

Martin.

The bill as amended finally passed by the following vote:

Yeas—30.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
McFarlane.	Witt.
Miller.	Woodul.
Moore.	Woodward.

Absent.

Martin.

Senate Bill No. 192.

The Chair laid before the Senate by unanimous consent the following bill:

By Senator Love:

S. B. No. 192, A bill to be entitled "An Act to amend Article 1302, Chapter 1, Title 32, of the Revised Civil Statutes of the State of Texas, of 1925, relating to purposes for which private corporations may be formed by adding thereto a section to be known as Section 82, so as to provide that corporations may be formed for the purpose of buying, selling, trading, holding, owning and dealing in oil leases and oil royalties, or either of them, with the right to acquire and own all property necessary to conduct such business."

Read second time.

On motion of Senator Love the bill was laid on the table subject to call.

House Bill Referred.

H. B. No. 95 referred to Committee on State Highways and Motor Traffic.

Senate Bill No. 74.

The Chair laid before the Senate by unanimous consent the following bill:

By Senator Parr:

S. B. No. 74, A bill to be entitled "An Act authorizing the State Board of Water Engineers to have made a scientific and sanitary study and investigation and report on the sources, amount and quality of the underground water supply in Texas; etc., and declaring an emergency."

Read second time.

Senator Love moved the previous question on the farther consideration of the bill. The motion was lost.

Senator Love moved the previous question on the further consideration of this bill. The motion prevailed.

The bill failed to pass to engrossment by the following vote:

Yeas—13.

Beck.	Stevenson.
Cousins.	Westbrook.
Greer.	Williamson.
Hornsby.	Wirtz.
Neal.	Witt.
Parr.	Woodul.
Patton.	

Nays—14.

Berkeley.	McFarlane.
Cunningham.	Miller.
DeBerry.	Moore.
Gainer.	Parrish.
Hardin.	Small.
Holbrook.	Thomason.
Love.	Woodward.

Absent.

Hyer.	Pollard.
Martin.	Russek.

Senator Gainer moved to reconsider the last vote.

Senator Love moved to table the motion. The motion to table was lost by the following vote:

Yeas—13.

Berkeley.	Hardin.
Cunningham.	Holbrook.
DeBerry.	Love.

McFarlane.	Small.
Miller.	Thomason.
Moore.	Woodward.
Parrish.	

Nays—14.

Beck.	Patton.
Cousins.	Russek.
Gainer.	Stevenson.
Greer.	Westbrook.
Hornsby.	Williamson.
Neal.	Wirtz.
Parr.	Woodul.

Absent.

Hyer.	Pollard.
Martin.	Witt.

Senator Love moved the previous question on the further consideration of the motion to reconsider. The motion prevailed by the following vote:

Yeas—22.

Beck.	Miller.
Berkeley.	Parr.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Love.	Williamson.
McFarlane.	Woodward.

Nays—6.

Greer.	Wirtz.
Moore.	Witt.
Parrish.	Woodul.

Absent.

Hyer.	Neal.
Martin.	

The motion to reconsider prevailed by the following vote:

Yeas—15.

Beck.	Russek.
Cousins.	Stevenson.
Gainer.	Westbrook.
Greer.	Williamson.
Hornsby.	Wirtz.
Neal.	Witt.
Parr.	Woodul.
Patton.	

Nays—14.

Berkeley.	Cunningham.
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DeBerry.	Moore.
Hardin.	Parrish.
Holbrook.	Pollard.
Love.	Small.
McFarlane.	Thomason.
Miller.	Woodward.

Absent.

Hyer.	Martin.
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Senator Moore sent up the following amendment:

Amend S. B. No. 74, line 7, of Section 1 of typewritten bill by adding after the word "supply" the following:

"and provided also that the State Board of Water Engineers shall also investigate the supply of lignite and brick clay in connection with this work set out above, and report same to the Legislature."

MOORE.

The amendment was read.

Senator Greer raised the point of order that this amendment was out of order because the previous question had been ordered on the engrossment of the bill when it was lost. The adoption of the motion to reconsider automatically placed the question of engrossment of the bill under the previous question and cut out all amendments.

The Chair sustained the point of order.

Senator Pollard raised the point of order that this bill was not included in the Governor's call.

The Chair, Lieutenant Governor Barry Miller, declined to rule on whether the bill came within the call, stating that the Governor must decide that.

The bill passed to engrossment by the following vote:

Yeas—15.

Beck.	Russek.
Cousins.	Stevenson.
Gainer.	Westbrook.
Greer.	Williamson.
Hornsby.	Wirtz.
Parr.	Witt.
Patton.	Woodul.
Pollard.	

Nays—14.

Berkeley.	Miller.
Cunningham.	Moore.
DeBerry.	Neal.
Hardin.	Parrish.
Holbrook.	Small.
Love.	Thomason.
McFarlane.	Woodward.

Absent.

Hyer. Martin.

H. C. R. No. 11.

The Chair laid before the Senate H. C. R. No. 11, Authorizing certain corrections to be made in H. B. No. 1.

Read and adopted.

House Bill No. 75.

The Chair laid before the Senate as pending business the following bill:

By Mr. Tillotson et al.

H. B. No. 75, A bill to be entitled. "An Act relating to the registration of motor vehicles, trailers, semi-trailers, or other devices drawn, transported, or used on the public highways; prescribing the license fees required for their registration; etc., and declaring an emergency."

The question recurred upon the point of order raised yesterday.

The Chair, Lieutenant Governor Barry Miller, overruled the point of order.

Recess.

On motion of Senator Woodul, the Senate, at 11:55 o'clock a. m., recessed until 2:00 o'clock p. m.

After Recess.

The Senate met at 2:00 o'clock p. m., pursuant to recess, and was called to order by Lieutenant Governor Barry Miller.

House Bills Referred.

H. B. No. 29 referred to Committee on Criminal Jurisprudence.

H. B. No. 23 referred to Committee on Finance.

Motions to Concur.

On motion of Senator Williamson

the Senate concurred in the House Amendment to S. B. No. 9, by the following vote:

Yeas—21.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Patton.
DeBerry.	Pollard.
Greer.	Small.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Wirtz.
Love.	Woodul.
McFarlane.	Woodward.
Miller.	

Absent.

Cunningham.	Parrish.
Gainer.	Russek.
Hardin.	Stevenson.
Martin.	Thomason.
Moore.	Witt.

On motion of Senator McFarlane the Senate concurred in the House Amendment to S. B. No. 153 by the following vote:

Yeas—23.

Beck.	Miller.
Berkeley.	Neal.
Cousins.	Parr.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Small.
Greer.	Westbrook.
Holbrook.	Williamson.
Hornsby.	Wirtz.
Hyer.	Woodul.
Love.	Woodward.
McFarlane.	

Absent.

Hardin.	Russek.
Martin.	Stevenson.
Moore.	Thomason.
Parrish.	Witt.

Free Conference Report.

Senator Pollard sent up the following Free Conference Committee report:

Committee Room,
Austin, Texas, June 27, 1929.
Hon. Barry Miller, President of the Senate, and
Hon. W. S. Barron, Speaker of the House of Representatives.
Gentlemen: We, your Free Confer-

ence Committee, appointed by the House and the Senate, have had S. B. No. 5 under consideration, and beg leave to report that we have reached an agreement on said bill as follows, to-wit:

The bill as passed by the Senate provided for an appropriation totalling \$13,311,590.00, and the bill as amended and passed by the House provided for an appropriation of \$10,039,506.00; and your Conference Committee has agreed upon said bill and has re-written all items therein, which said items total the sum of \$10,482,836.00; and we file herewith, as a part of our record, said bill, and ask its adoption in lieu of the bill passed by the Senate and amended and passed by the House.

Respectfully submitted,

POLLARD,
BECK,
DeBERRY,
McFARLANE,
PATTON,

On the part of the Senate.

WALLACE,
GILBERT,
KAYTON,
H. N. GRAVES,
COX of Navarro,

On the part of the House.

By Pollard.

S. B. No. 5.

A BILL

To Be Entitled

An Act making appropriations to pay the salaries of officers and em-

ployees of certain eleemosynary institutions of the State, and other expenses of maintaining and conducting them for the two fiscal years, beginning September 1, 1929, and ending August 31, 1931, as follows, to-wit: Abilene State Hospital, Austin State School; Austin State Hospital; Confederate Home; Confederate Woman's Home; Deaf, Dumb and Blind Institute for Colored Youths; Girls Training School; Home for Dependent and Neglected Children; State Hospital for Crippled and Deformed Children at Galveston; State Juvenile Training School; State Orphans Home; Rusk State Hospital; San Antonio State Hospital; State Psychopathic at Dallas; State Psychopathic Hospital at Galveston; Terrell State Hospital; State Tuberculosis Sanatorium; Wichita Falls State Hospital; Alabama and Cauahati Indians in Polk County, Texas; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the following sums of money, or so much thereof as may be necessary, be and the same are hereby appropriated out of any money in the State Treasury not otherwise appropriated, to pay the salaries of officers and employees and other necessary expenses for the support and maintenance of the eleemosynary institutions of the State from September 1, 1929, to August 31, 1931.

Abilene State Hospital.

For the years ending
August 31, 1930 August 31, 1931

Salaries of:		
Superintendent, with provisions for himself and family not to exceed in value \$500.00 per annum, also water, light, fuel, laundry and housing.....	\$ 3,250.00	\$ 3,250.00
Attendants, eighty, not to exceed \$50.00 per month basis \$40.00 per month.....	38,400.00	38,400.00
Butcher and Baker.....	1,000.00	1,000.00
Barber	720.00	720.00
Carpenter	1,000.00	1,000.00
Carpenter, Assistant	720.00	720.00
Chaplain	1,200.00	1,200.00

	For the years ending	
	August 31, 1930	August 31, 1931
Cooks, nineteen, basis \$50.00 per month ..	11,520.00	11,520.00
Dentist	900.00	900.00
Dietitian	1,500.00	1,500.00
Dining room girls, sixteen, basis \$30.00 per month	5,760.00	5,760.00
Pharmacist	1,200.00	1,200.00
Engineer, Chief	1,600.00	1,600.00
Engineer, First Assistant	1,000.00	1,000.00
Engineer, Second Assistant	900.00	900.00
Engineer, night	720.00	720.00
Engineer, ice	720.00	720.00
Farm Superintendent	1,200.00	1,200.00
Farm hands, two	960.00	960.00
Firemen three	2,160.00	2,160.00
Gardener	900.00	900.00
Hall Boy	480.00	480.00
Laundress, head	900.00	900.00
Laundress, assistant	600.00	600.00
Laundry girls, ten, basis \$40.00 per month	4,800.00	4,800.00
Matron	720.00	720.00
Night watchman outside	720.00	720.00
Nurses, skilled, three	2,700.00	2,700.00
Painter and Plasterer	900.00	900.00
Parkman	600.00	600.00
Physician, first assistant, with board and laundry for himself and family	2,200.00	2,200.00
Physician, second assistant, with board and laundry for himself and family	2,000.00	2,000.00
Physician, third assistant, with board and laundry for himself and family	1,800.00	1,800.00
Physician, fourth assistant, with board and laundry for himself and family	1,800.00	1,800.00
Seamstress, head	720.00	720.00
Seamstresses, assistants, five	2,100.00	2,100.00
Scavenger	480.00	480.00
Shoemaker	900.00	900.00
Storekeeper and accountant, with board and laundry for himself and family	1,500.00	1,500.00
Storekeeper and accountant, assistant	900.00	900.00
Supervisor, day	900.00	900.00
Supervisor, assistant, day	720.00	720.00
Supervisor, night	720.00	720.00
Supervisoreess, day	900.00	900.00
Supervisoreess, assistant, day	720.00	720.00
Supervisoreess, night	720.00	720.00
Tailor	720.00	720.00
Teacher, arts and crafts	900.00	900.00
Teacher, arts and crafts, assistant	720.00	720.00
Total Salaries	\$ 111,170.00	\$ 111,170.00
Maintenance and Miscellaneous:		
Support and maintenance	176,000.00	176,000.00
Bridges, fences and grounds	1,000.00	1,000.00
Traveling expenses for Superintendent spent with approval of Board of Control	300.00	300.00
New boiler installed	8,000.00	
Total Salaries	\$ 185,300.00	\$ 177,300.00
Repairs and Improvements:		
One new cottage for patients		50,000.00
General repairs	10,000.00	5,000.00

	For the years ending	
	August 31, 1930	August 31, 1931
Occupational therapy and employees dormitory	30,000.00	
Laundry machinery	8,000.00	
Total	\$ 48,000.00	\$ 55,000.00
Grand Total	\$ 344,470.00	\$ 343,470.00

Austin State School.

Salaries of:		
Superintendent, including provisions for himself and family not to exceed in value \$500.00 per annum, with fuel, lights, water, laundry and housing	3,250.00	3,250.00
Assistant physician with board for self and family	2,200.00	2,200.00
Assistant Physician and pathologist with board for self and family	2,000.00	2,000.00
Attendants, none to exceed \$50.00 per months, fifty-eight	31,320.00	31,320.00
Attendants, additional, twenty	2,500.00	8,000.00
Attendants, dining room, five	2,100.00	2,100.00
Baker	720.00	720.00
Barbers, two	1,200.00	1,200.00
Butcher and ice man	720.00	720.00
Carpenter	900.00	900.00
Chaplain	400.00	400.00
Cook, chief	720.00	720.00
Cooks, assistants, ten; and one for superintendent	5,400.00	5,400.00
Cooks, additional	540.00	1,620.00
Dairyman	900.00	900.00
Dairyman, assistant	600.00	600.00
Dentist, full time, with one meal; also assigned to School for Blind, and Deaf, Dumb and Blind Institute for Colored	2,000.00	2,000.00
Dietitian and stewardess	1,500.00	1,500.00
Pharmacist	1,200.00	1,200.00
Engineer	1,500.00	1,500.00
Engineer, assistant	900.00	900.00
Farm hands and laborers, three	1,800.00	1,800.00
Farmer and outside supervisor	900.00	900.00
Fireman, two	1,440.00	1,440.00
Gardener	720.00	720.00
Laundresses, five	2,100.00	2,100.00
Matron and supervisors	900.00	900.00
Night watchman, outside	720.00	720.00
Nurses, trained, three	3,600.00	3,600.00
Painter	900.00	900.00
Parkman	600.00	600.00
Psychiatrist and psychologist	2,400.00	2,400.00
Seamstress	660.00	660.00
Seamstress, assistant	480.00	480.00
Shoemaker	900.00	900.00
Stenographer and secretary	900.00	900.00
Storekeeper and accountant with board for self and family	1,200.00	1,200.00
Storekeeper, assistant	720.00	720.00
Supervisor	900.00	900.00
Supervisor, night	900.00	900.00
Supervisress	900.00	900.00
Supervisress, assistant	720.00	720.00

	For the years ending	
	August 31, 1930	August 31, 1931
Instructional Staff:		
Educational director	1,800.00	1,800.00
Director, orchestra	1,080.00	1,080.00
Grade teachers, two	2,160.00	2,160.00
Industrial teacher	1,080.00	1,080.00
Kindergarten teacher	1,080.00	1,080.00
Teacher, manual training	1,080.00	1,080.00
Teacher, music	1,080.00	1,080.00
Teacher, physical training	1,080.00	1,080.00
Primary, teacher	1,080.00	1,080.00
Teachers and supervisors for Deaf and Dumb	1,080.00	1,080.00
Teachers, additional, two for industrial work	2,400.00	2,400.00
Total Salaries	\$ 102,650.00	\$ 109,230.00
All officers and employees to receive board and laundry unless otherwise specified.		
General Maintenance:		
Support and Maintenance	160,000.00	185,000.00
Surgery, and Eye, Ear, Nose and Throat	1,000.00	1,000.00
Traveling expenses, superintendent, spent with approval of Board of Control	250.00	250.00
Total	\$ 161,250.00	\$ 186,250.00
Repairs and Improvements:		
Stand pipe, work and connections	9,000.00	
Dormitories and equipment, two	50,000.00	50,000.00
Kitchen, dining room and quarters for employees	30,000.00	
Ice plant	20,000.00	
For addition to dairy barn	2,500.00	
Total	\$ 111,500.00	\$ 50,000.00
Grand Total	\$ 375,400.00	\$ 345,480.00

Austin State Hospital.

Salaries of:		
Superintendent, with provisions for himself and family not to exceed in value \$500.00 per annum, together with water, lights, laundry, fuel, and housing	3,250.00	3,250.00
Assistant physician, with board and laundry for himself and family	2,200.00	2,200.00
Assistant physicians, two, with board and laundry for themselves and families	4,000.00	4,000.00
Assistant physicians, two, with board and laundry for themselves and families	3,600.00	3,600.00
Attendants, salary not to exceed \$50.00 per month, one hundred	48,000.00	48,000.00
Attendants, salary not to exceed \$50.00 per month, seventy-four, to comply with 9-54 hour law	35,520.00	35,520.00
Baker	900.00	900.00
Attendants, tuberculosis, cottage, four	2,640.00	2,640.00
Attendants, night, salary not to exceed \$50.00 per month; basis \$40.00 per month, twenty	9,600.00	9,600.00
Attendants, night, salary not to exceed \$50.00 per month, to comply with 9-54 hour law	1,920.00	1,920.00

	For the years ending	
	August 31,	August 31,
	1930	1931
Baker, assistants, two	900.00	900.00
Barbers, two	1,200.00	1,200.00
Blacksmith	720.00	720.00
Butcher	600.00	600.00
Carpenters, two	1,800.00	1,800.00
Cartman	480.00	480.00
Chaplain	400.00	400.00
Clerk, clothing	480.00	480.00
Cook, chief	900.00	900.00
Cook, assistants, two	1,200.00	1,200.00
Cooks, one for superintendent, thirteen	6,240.00	6,240.00
Cooks, three, to comply with 9-54 hour law	1,440.00	1,440.00
Dairyman	900.00	900.00
Dining room girls, twenty	6,900.00	6,900.00
Dining room girls, two, to comply with 9-54 hour law	720.00	720.00
Dentist, full time	1,700.00	1,700.00
Dietitian	1,500.00	1,500.00
Druggist, registered	1,200.00	1,200.00
Engineer, chief	1,500.00	1,500.00
Engineer, first assistant	1,000.00	1,000.00
Engineer, second assistant	720.00	720.00
Engineer, third assistant	720.00	720.00
Engineer, night	720.00	720.00
Engineer, ice plant	720.00	720.00
Engineer, laundry	720.00	720.00
Farmer, head	900.00	900.00
Farm hands, three	1,440.00	1,400.00
Firemen, three	2,160.00	2,160.00
Gardener	900.00	900.00
Hall Boy	600.00	600.00
Pathologist	1,800.00	1,800.00
Laundress, head	900.00	900.00
Librarian	600.00	600.00
Laundress, assistant	600.00	600.00
Laundresses, fourteen basis \$35.00 per month	5,880.00	5,880.00
Matron	720.00	720.00
Mattress maker	600.00	600.00
Nurses, trained for tuberculosis cottage, two	1,320.00	1,320.00
Nurse, trained, for female infirmary	720.00	720.00
Nurses, superintendent of	1,320.00	1,320.00
Nurses, graduate, three	3,600.00	3,600.00
Nurses, students, eighteen	4,860.00	4,860.00
Night watchman, two, outside	1,440.00	1,440.00
Parkman	720.00	720.00
Painter	720.00	720.00
Plasterer	720.00	720.00
Plumber	1,000.00	1,000.00
Poultryman	900.00	900.00
Psychiatric social service workers, one	1,800.00	1,800.00
Seamstress, head	720.00	720.00
Seamstresses, five	3,000.00	3,000.00
Shoemaker	900.00	900.00
Stenographer and secretary	1,000.00	1,000.00
Stenographer, assistant	720.00	720.00
Storekeeper and accountant, with board and laundry for himself and family	1,500.00	1,500.00
Storekeeper and accountant, assistant	900.00	900.00
Storekeeper, assistant and stenographer	720.00	720.00

	For the years ending	
	August 31, 1930	August 31, 1931
Supervisor	900.00	900.00
Supervisor, assistant	720.00	720.00
Supervisor, night	720.00	720.00
Supervisoress	900.00	900.00
Supervisoress, assistant	720.00	720.00
Supervisoress, night	720.00	720.00
Tailor	720.00	720.00
Teacher, arts and crafts	1,200.00	1,200.00
Teachers, arts and crafts, assistants, two ..	1,800.00	1,800.00
Telephone operator	600.00	600.00
Truck driver	600.00	600.00
Watchman, day	720.00	720.00
Total Salaries	\$ 203,010.00	\$ 203,010.00
General Maintenance:		
Traveling expense of superintendent	250.00	250.00
Traveling expense of employees	150.00	150.00
Support and maintenance	275,000.00	275,000.00
Total	\$ 275,400.00	\$ 275,400.00
Repairs and Improvements:		
General repairs	35,000.00	35,000.00
Repairs for east and west wings of female wards	35,000.00	35,000.00
Furniture for new building	2,500.00	
Electric wiring and repairs	14,000.00	
Turbine and generator	8,500.00	
Radiator guards	2,500.00	
Pipe, repairs and material for heating lines	3,000.00	
Total	\$ 100,500.00	\$ 70,000.00
Grand Total	\$ 578,910.00	\$ 548,410.00

Texas Confederate Home.

Salaries of:		
Superintendent, with provisions for himself and family, not to exceed \$500.00 per annum, with fuel, water, lights, laundry and housing	2,500.00	2,500.00
Pharmacist, registered	1,200.00	1,200.00
Baker	720.00	720.00
Barber	600.00	600.00
Carpenter and plumber	900.00	900.00
Chaplain, who shall also act as Chaplain for Woman's Confederate Home	1,500.00	1,500.00
Chief cooks, two; for Mother's Building ..	1,800.00	1,800.00
Cooks, assistants, four, big kitchen	1,920.00	1,920.00
Cooks, assistants, two, at hospital	1,020.00	1,020.00
Cooks, assistants, Mother's Building	1,020.00	1,020.00
Dietitian	1,500.00	1,500.00
Engineer, chief	1,500.00	1,500.00
Engineer, assistant	900.00	900.00
Firemen, three	2,160.00	2,160.00
Garbage men, two	600.00	600.00
Hostlers and drivers, two	1,200.00	1,200.00
Housekeepers, two	720.00	720.00
Janitors and attendants, ten, none to ex- ceed \$50.00 per month	5,400.00	5,400.00
Laundry manager	720.00	720.00
Manager of hospital	1,500.00	1,500.00
Matron, general	600.00	600.00
Night watchman	720.00	720.00

	For the years ending	
	August 31,	August 31,
	1930	1931
Nurses, trained, two	1,800.00	1,800.00
Nurses, female practical, three	1,440.00	1,440.00
Nurses, male eighteen	11,440.00	11,440.00
Oculist	480.00	480.00
Organist and reader	480.00	480.00
Postmaster	480.00	480.00
Secretary	900.00	900.00
Seamstress	480.00	480.00
Storekeeper and accountant, with board for himself and family	1,200.00	1,200.00
Surgeon	2,500.00	2,500.00
Storekeeper, assistant	600.00	600.00
Waiter, head waiter and matron of Girl's Dormitory	600.00	600.00
Waiters, head, two; Mother's Building and Hospital	960.00	960.00
Waitresses, eighteen	6,400.00	6,400.00
Yardman	480.00	480.00
Total Salaries	\$ 63,640.00	\$ 63,640.00
Maintenance, Repairs and Miscellaneous:		
Brick addition to dining room and girls' dormitory for dishwasher, also cement floor for the same large dining room ..	7,500.00	
Cement floor in convalescent ward, center building, old hospital	3,000.00	
Drugs and hospital supplies	3,000.00	3,000.00
Dental work	300.00	300.00
Furniture, beds and carpets	2,000.00	2,000.00
General repairs and painting to be authorized by Board of Control	5,000.00	5,000.00
Hospital furniture and equipment	1,000.00	
Kitchen, dining room and laundry supplies	1,000.00	1,000.00
Literature, paper and postage	500.00	500.00
New porches for buildings	2,500.00	2,500.00
Plumbing and overhauling sewer system and the improvement of sanitary conditions, including change of water main ..	5,000.00	5,000.00
Automobile for use of the institution		750.00
Support and maintenance	103,000.00	103,000.00
Total	\$ 135,800.00	\$ 123,550.00
Grand Total	\$ 197,440.00	\$ 167,190.00

Confederate Woman's Home.

Salaries of:

Superintendent, with provisions for self and family, not to exceed in value \$500.00 per annum; with fuel, water, light, laundry and housing	2,500.00	2,500.00
Attendant in large building	420.00	420.00
Attendant and cook of Superintendent	420.00	420.00
Attendants in hospital, five	1,800.00	1,800.00
Cook, main building	600.00	600.00
One hall telephone girls	420.00	420.00
Cook, hospital	600.00	600.00
Dentist	600.00	600.00
Dining room girls, four	1,440.00	1,440.00
Housekeeper	720.00	720.00
Janitor	600.00	600.00
Laundry checker and sorter	420.00	420.00

	For the years ending	
	August 31, 1930	August 31, 1931
Laundry worker	360.00	360.00
Night watchman	900.00	900.00
Nurses, two	1,680.00	1,680.00
Nurses, four	2,400.00	2,400.00
Nurses, night, four	2,400.00	2,400.00
Nurses, extra	2,000.00	2,000.00
Physician	1,200.00	1,200.00
Storekeeper, accountant and stenographer board, room and laundry	1,200.00	1,200.00
Stewardess, hospital	720.00	720.00
Seamstress	480.00	480.00
Yardman	600.00	600.00
Engineer, plumber and electrician	900.00	900.00
Total Salaries	\$ 25,380.00	\$ 25,380.00
General Maintenance and Miscellaneous:		
Elevator	3,500.00	
Ear, eye, nose and throat treatment	350.00	350.00
Glasses on prescription	100.00	100.00
Support and maintenance	30,500.00	30,500.00
Total	\$ 34,450.00	\$ 30,950.00
Repairs and Improvements:		
Garage with living quarters for negro help	2,000.00	
Store room with quarters for nurses and attendants	15,000.00	
General repairs, including furniture	3,000.00	3,000.00
Total	\$ 20,000.00	\$ 3,000.00
Grand Total	\$ 76,330.00	\$ 39,330.00

Deaf, Dumb and Blind Institute For Colored Youths.

Salaries of:		
Superintendent, with provisions for self and family, not to exceed in value \$500.00 per annum, with fuel, lights, laundry, water and housing	2,300.00	2,300.00
Storekeeper and accountant, with board and laundry for self	1,200.00	1,200.00
Oculist, nine months	720.00	720.00
Physician, nine months	900.00	900.00
Physical director and office assistant, nine months	675.00	675.00
Principal, ten months	1,250.00	1,250.00
Teachers, six for deaf, nine months	3,960.00	3,960.00
Teachers, five for blind, nine months	3,240.00	3,240.00
Teachers, eleven industrial; one twelve months; one ten months; nine nine months	6,820.00	6,820.00
Teachers, three instruments and vocal mu- sic, nine months	2,160.00	2,160.00
Assistant teachers, industrial branches, nine months	630.00	630.00
Cooks, two; one twelve months; one nine months	1,290.00	1,290.00
Dishwasher, twelve months	360.00	360.00
Dairyman, twelve months	600.00	600.00
Engineer and fireman, two; one twelve months; one seven months	1,425.00	1,425.00
Farmer, twelve months	600.00	600.00

	For the years ending	
	August 31, 1930	August 31, 1931
Farm hands and outside labor, two twelve months	1,080.00	1,080.00
Housekeeper, twelve months	480.00	480.00
Laundryman, twelve months	900.00	900.00
Laundresses, seven; four nine months, three twelve months	2,250.00	2,250.00
Matrons, seven; one twelve months; six nine months	3,045.00	3,045.00
Night watchman, twelve months	600.00	600.00
Nurses, nine months	675.00	675.00
Yardman and janitor	480.00	480.00
Total Salaries	\$ 37,640.00	\$ 37,640.00
General Maintenance:		
Automobile truck, to exchange old truck as part payment	1,000.00	
Hospital, drugs and supplies	900.00	900.00
Musical instruments	450.00	450.00
Machinery and tools	450.00	
Stationery, postage, printing and Catalogs	400.00	400.00
Transportation of indigent pupils	800.00	800.00
Traveling expenses of Superintendent subject to approval of Board of Control	250.00	250.00
Support, maintenance, fuel, lights, power and water	41,000.00	41,000.00
Total	\$ 45,250.00	\$ 43,800.00
Repairs and Improvements:		
Improvements of grounds	500.00	500.00
General repairs and equipment	4,000.00	6,000.00
Dining hall and kitchen, storeroom and dormitory with equipment	75,000.00	
Converting present dining hall into industrial building		15,000.00
Stand pipe and equipment for fire protection	10,000.00	
Total	\$ 89,500.00	\$ 21,500.00
Grand Total	\$ 172,390.00	\$ 102,940.00

Girls Training School.

Salaries of:		
Superintendent, with provisions not to exceed in value \$500.00 per annum, with light, water, heat, laundry and housing	2,500.00	2,500.00
Head Matron	1,080.00	1,080.00
Truck driver and helper	720.00	720.00
Farm matron	720.00	720.00
Dairy attendant and farm assistant	900.00	900.00
Farm assistants, two	1,440.00	1,440.00
Home finding supervisor	1,200.00	1,200.00
Laundress, head	720.00	720.00
Matron and housekeeper, fifteen	10,800.00	10,800.00
Nurse	1,000.00	1,000.00
Night watchman	720.00	720.00
Plumber and engineer	1,200.00	1,200.00
Physician	1,500.00	1,500.00
Storekeeper, and accountant, with board and laundry for himself and family	1,200.00	1,200.00
Stenographer	900.00	900.00
School principal	1,200.00	1,200.00
Teachers, academic, six 12 months	5,040.00	5,040.00

	For the years ending	
	August 31, 1930	August 31, 1931
Teachers, commercial	1,000.00	1,000.00
Teachers, domestic science	900.00	900.00
Teacher, Manual training	1,000.00	1,000.00
Teacher, music	1,000.00	1,000.00
Teacher, sewing	1,000.00	1,000.00
Social worker	1,000.00	1,000.00
Resident carpenter	720.00	720.00
Laundry assistant	600.00	600.00
Dairy assistant, woman	600.00	600.00
Total Salaries	\$ 40,660.00	\$ 40,660.00
Maintenance and Miscellaneous:		
Fuel	6,000.00	6,000.00
Literature and amusement	500.00	500.00
Millinery and sewing	500.00	500.00
Manual training	250.00	250.00
Traveling expenses, parole department	2,000.00	2,000.00
Support and maintenance	40,000.00	40,000.00
Laundry expense	500.00	500.00
Repairs, general	6,000.00	6,000.00
Dental, surgical, eye, ear, nose and throat	1,500.00	1,500.00
Furniture	500.00	500.00
Automobile truck	750.00	
Traveling expenses, Superintendent, to visit similar institutions in other states	300.00	300.00
Livestock	1,000.00	
Lighting system	2,000.00	
Road repairs	1,000.00	
Total	\$ 62,800.00	\$ 58,050.00
Grand Total	\$ 103,460.00	\$ 98,710.00

Home For Dependent and Neglected Children.

Salaries of:

Superintendent, with provisions for self and family, not to exceed in value \$500.00 per annum, with water, light, heat, laundry and housing	2,500.00	2,500.00
Storekeeper and accountant, with board and laundry for self and family	1,200.00	1,200.00
Athletic teacher	1,200.00	1,200.00
Farmer and gardener	900.00	900.00
Engineer and plumber	1,200.00	1,200.00
Shop and repair man	900.00	900.00
Poultry and yard man	900.00	900.00
General utility man	720.00	720.00
School principal	1,250.00	1,250.00
School teacher, four	3,600.00	3,600.00
Teacher of music	900.00	900.00
Seamstress	720.00	720.00
Seamstresses, assistants, two	960.00	960.00
Chaplain	600.00	600.00
Physician	1,200.00	1,200.00
Matron	900.00	900.00
Matron, assistants, five	2,400.00	2,400.00
Matron for baby cottage, four	2,400.00	2,400.00
Nurse and dietitian	1,020.00	1,020.00
Nurse, night	600.00	600.00
Cook, chief	720.00	720.00
Cook, assistants, two	1,200.00	1,200.00
Night watchman	720.00	720.00

	For the years ending	
	August 31, 1930	August 31, 1931
Stenographer and assistant storekeeper and accountant	900.00	900.00
Cook for superintendent's Cottage	480.00	480.00
Total Salaries	\$ 30,090.00	\$ 30,090.00
Buildings and Improvements:		
Employees home	20,000.00	
Hospital with twenty beds	19,000.00	
Refrigerator	1,000.00	
Total	\$ 40,000.00	
Maintenance and Miscellaneous:		
Support and maintenance	55,000.00	55,000.00
Library fund	500.00	500.00
Musical instruments	500.00	500.00
Improvements of roads and grounds	500.00	500.00
Purchase dairy herd	500.00	500.00
Shop equipment	250.00	250.00
Repairs and improvements	1,500.00	1,500.00
Installing campus lights	250.00	250.00
Purchase pipe and install water main	500.00	500.00
Truck for freight	750.00	
Equipment for kitchen	1,000.00	
Bus for transportation of children	1,600.00	
Total	\$ 62,850.00	\$ 59,500.00
Grand Total	\$ 132,940.00	\$ 89,590.00

State Hospital for Crippled and Deformed Children at Galveston.

Support and maintenance	13,000.00	13,000.00
Supervising nurses	3,240.00	3,240.00
One cook, \$35.00 per month	420.00	420.00
One school teacher, \$65.00 per month	780.00	780.00
Paint	926.00	
Total	\$ 18,366.00	\$ 17,440.00
Grand Total	\$ 18,366.00	\$ 17,440.00

State Juvenile Training School.

Salaries of:

Superintendent, with provisions for self and family, not to exceed in value \$500.00 per annum, with fuel, lights, laundry and housing	5,000.00	5,000.00
Assistant Superintendent, with board, lodging and laundry for self and family	1,500.00	1,500.00
Band instructor	1,200.00	1,200.00
Baker	1,200.00	1,200.00
Barber	1,200.00	1,200.00
Commandant	1,800.00	1,800.00
Chaplain	1,500.00	1,500.00
Dentist, part time	600.00	600.00
Dietitian and steward	1,500.00	1,500.00
Druggist and nurse	1,200.00	1,200.00
Nurse, assistant, one	1,000.00	1,000.00
Engineer	1,500.00	1,500.00
Engineer, assistant	1,000.00	1,000.00
Field instructors, twelve	10,800.00	10,800.00
Matrons, nine	5,400.00	5,400.00
Night watchman, nine	8,100.00	1,100.00
Physician	1,500.00	1,500.00

	For the years ending	
	August 31, 1930	August 31, 1931
Physician for eye, ear, nose and throat, part time	600.00	600.00
Plumber and electrician	1,200.00	1,200.00
Principal manual training	2,000.00	2,000.00
Auto mechanic	1,500.00	1,500.00
Probation office	900.00	900.00
Stenographer	1,000.00	1,000.00
Storekeeper and accountant, with board and laundry for himself and family	1,500.00	1,500.00
Storekeeper and accountant, assistant	900.00	900.00
Teachers, trade, not to exceed \$1,800.00 each	30,000.00	30,000.00
Total Salaries	\$ 833,600.00	\$ 83,600.00
General Maintenance:		
Books and school supplies	1,000.00	1,000.00
Discharge and transportation	6,500.00	6,500.00
Farm implements	1,500.00	1,500.00
Postage and express	1,500.00	1,500.00
Vocational equipment	3,000.00	3,000.00
Support and maintenance	150,000.00	150,000.00
Total	\$ 163,500.00	\$ 163,500.00
Miscellaneous:		
Dairy Cattle	1,000.00	1,000.00
Motor truck		1,000.00
Mules, to purchase		1,750.00
Total	\$ 1,000.00	\$ 4,250.00
Repairs and Improvements:		
New 200 horsepower boiler and equipment	12,000.00	
General repairs	10,000.00	10,000.00
Industrial building equipment		4,000.00
Total	\$ 22,000.00	\$ 14,000.00
Grand Total	\$ 270,100.00	\$ 265,350.00

State Orphan Home.

Salaries of:

Superintendent, with provisions for self and family, not to exceed in value \$500.00 per annum, with fuel, lights, laundry, water and housing	2,500.00	2,500.00
Storekeeper and accountant, with board and laundry for self and family	1,500.00	1,500.00
Assistant storekeeper	900.00	900.00
Band director	1,200.00	1,200.00
Boys director	1,500.00	1,500.00
Librarian and office assistants, two	900.00	900.00
Teacher, kindergarten (10 months)	1,000.00	1,000.00
Teachers, primary, four (10 months)	3,400.00	3,400.00
Teachers, intermediate, six, paid out of available school fund		
Teachers, grade principal—paid out of available school fund (10 months)	850.00	850.00
Teacher, art and penmanship (10 month) ..		
Teachers, commercial (10 months) paid out of available school fund		
Teacher, domestic economy (10 months) ..	1,000.00	1,000.00
Teacher, English (10 months)	1,000.00	1,000.00
Teacher and high school principal (10 months)	1,500.00	1,500.00

	For the years ending	
	August 31,	August 31,
	1930	1931
Teacher, history (10 months)	1,000.00	1,000.00
Teacher, manual training (10 months) ..	1,000.00	1,000.00
Teacher, mathematics (10 months)	1,000.00	1,000.00
Teacher, mechanical engineer	2,400.00	2,400.00
Teacher, music supervisor (10 months) ..	1,000.00	1,000.00
Teacher, science (10 months)	1,000.00	1,000.00
Teacher, Spanish (10 months)	1,000.00	1,000.00
Teacher, vocational agriculture	1,200.00	1,200.00
Baker and butcher	720.00	720.00
Campus and florist	900.00	900.00
Carpenter and blacksmith	900.00	900.00
Teacher, music assistant (10 months) ..	850.00	850.00
Chaplain and teacher	1,200.00	1,200.00
Chief cook	900.00	900.00
Cook, assistant	600.00	600.00
Cooks, new kitchen, three	1,440.00	1,440.00
Dentist	750.00	750.00
Dairyman	900.00	900.00
Engineer, chief	1,500.00	1,500.00
Dean of girls	1,000.00	1,000.00
Farm foreman	1,000.00	1,000.00
Teacher, printing and English (10 months)	1,000.00	1,000.00
Firemen, two	1,200.00	1,200.00
Laundry foreman and instructor	900.00	900.00
Laundresses two	1,200.00	1,200.00
Matron, chief	1,000.00	1,000.00
Matrons, ward, thirteen, not to exceed \$50.00 per month	7,800.00	7,800.00
Matrons, assistants, three	1,440.00	1,440.00
Matrons, dining room, two	960.00	960.00
Night watchman	720.00	720.00
Nurse, registered	1,200.00	1,200.00
Nurses, assistant	600.00	600.00
Physician and surgeon	1,200.00	1,200.00
Plumber	900.00	900.00
Seamstresses, three	1,800.00	1,800.00
Shoe and harness repair	720.00	720.00
Specialist, ear, nose, and throat	600.00	600.00
Gardener	720.00	720.00
Steward and dictitian	1,500.00	1,500.00
Barber	720.00	720.00
Laundry foreman, assistant	600.00	600.00
Total Salaries	\$ 65,690.00	\$ 65,690.00
All salaries are on a twelve month basis ex- cept otherwise noted.		
General Maintenance:		
Amusement and entertainment	1,000.00	1,000.00
Books and school supplies	1,750.00	1,750.00
Farm tools	900.00	900.00
Power plant material	1,000.00	1,000.00
Postage, express and stationery	500.00	500.00
Support and maintenance	160,000.00	185,000.00
Telephones and tools	500.00	500.00
Band instruments		750.00
Fire fighting equipment	500.00	500.00
Library equipment and supplies	500.00	500.00
Beds and furniture	5,000.00	
Pianos and string instruments	2,000.00	
Contingent expense	1,000.00	1,000.00
Total	\$ 174,950.00	\$ 193,700.00

	For the years ending	
	August 31, 1930	August 31, 1931
Repairs and Improvements:		
General repairs and converting dining room into dormitory	45,000.00	25,000.00
Machine shop equipment	1,500.00	1,500.00
Manual training equipment	1,500.00	1,500.00
Shoe shop equipment and machinery	1,750.00	700.00
Laboratory for high school	500.00	500.00
Power plant and two boilers, equipped	40,000.00	
Dairy barn and equipment		20,000.00
Additional land		30,000.00
Cows and mules		3,600.00
Sidewalks and paving	1,000.00	1,000.00
Total	\$ 91,250.00	\$ 83,800.00
Grand Total	\$ 331,890.00	\$ 343,190.00

Rusk State Hospital.

Salaries of:

Superintendent, with provisions for self and family, not to exceed in value \$500.00 per annum with water, light, heat laundry and housing	3,250.00	3,250.00
Assistant physician, with board and laundry for self and family	2,200.00	2,200.00
Assistant physicians, with board and laundry for selves and families, two	4,000.00	4,000.00
Assistant physicians, with board and laundry for selves and families, two	3,600.00	3,600.00
Attendants, basis \$40.00	63,360.00	63,360.00
Baker	900.00	900.00
Baker, assistant	600.00	600.00
Barbers, two	1,000.00	1,000.00
Blacksmith	720.00	720.00
Butcher	540.00	540.00
Cook, chief	900.00	900.00
Cook, chief, assistants, two	1,200.00	1,200.00
Cooks, assistant, ten	4,320.00	4,320.00
Carpenter and assistant	1,620.00	1,620.00
Chaplain	400.00	400.00
Dietician	1,500.00	1,500.00
Druggist, registered	1,200.00	1,200.00
Dentist, full time	1,600.00	1,600.00
Dining room girls, fifteen	6,300.00	6,300.00
Engineer, chief	1,500.00	1,500.00
Engineer, night	1,000.00	1,000.00
Engineer, first assistant	900.00	900.00
Engineer, assistant and plumber	720.00	720.00
Florist	600.00	600.00
Firemen, three	1,800.00	1,800.00
Farm hands	2,400.00	2,400.00
Gardener and assistant	1,440.00	1,440.00
Iceman	600.00	600.00
Laundry head and engineer	900.00	900.00
Laundry assistant	480.00	480.00
Laundress	4,200.00	4,200.00
Hall men, two	960.00	960.00
Matron	720.00	720.00
Hostler and truck driver	480.00	480.00
Mattress maker and assistant	1,260.00	1,260.00
Night attendants	14,040.00	14,040.00
Superintendent of nurses	1,200.00	1,200.00
Nurses, trained, seven	6,300.00	6,300.00

	For the years ending	
	August 31, 1930	August 31, 1931
Night watchman, two	1,440.00	1,440.00
Porter	1,000.00	1,000.00
Painter and plasterer	900.00	900.00
Plumber	900.00	900.00
Roentgenologist and Pathologist	1,800.00	1,800.00
Seamstresses	3,360.00	3,360.00
Storekeeper and accountant, with board and laundry for self and family	1,500.00	1,500.00
Storekeeper and accountant, assistant	900.00	900.00
Stenographer, one	900.00	900.00
Supervisor	900.00	900.00
Supervisor, assistant	720.00	720.00
Supervisor	900.00	900.00
Supervisor, assistant	720.00	720.00
Supervisor, night	720.00	720.00
Supervisor, night	720.00	720.00
Supervisor, outside, head farmer	900.00	900.00
Shoemaker	720.00	720.00
Teacher, occupational therapy	1,200.00	1,200.00
Tailor and seamstress	720.00	720.00
Yard man	600.00	600.00
Social worker	1,500.00	1,500.00
Nurses for tubercular, four	2,880.00	2,880.00
Total Salaries	\$ 166,610.00	\$ 166,610.00
Maintenance and Miscellaneous:		
Support and maintenance	210,000.00	230,000.00
Traveling expenses of Superintendent, to be approved by Board of Control	300.00	300.00
Total	\$ 210,300.00	\$ 230,300.00
Repairs and Improvements:		
Ice plant and cold storage	5,000.00	
Repairs, general, and old building for negro men	35,000.00	10,000.00
Painting and repairing standpipe	300.00	
Dormitory for officers and employees		35,000.00
Kitchen and equipment	20,000.00	
Additional land	1,500.00	
Additional story and equipment, tuberculo- sis cottage	15,000.00	
New buildings for patients, two	85,000.00	85,000.00
Additional attendants		6,240.00
New roof, main building	10,000.00	
Total	\$ 171,800.00	\$ 136,240.00
Grand Total	\$ 548,710.00	\$ 533,100.00

San Antonio Hospital.

Salaries of:		
Superintendent, with provisions for self and family, not to exceed in value \$500.00 per annum, also water, lights, fuel, laundry and housing	3,250.00	3,250.00
First assistant physician	2,200.00	2,200.00
Assistant physicians, three, with board and laundry for themselves and families	6,000.00	6,000.00
Assistant physicians, three, with board and laundry for themselves and families	5,400.00	5,400.00
Attendants, 170	81,600.00	81,600.00
Baker	900.00	900.00
Bakers, assistants, two	960.00	960.00

	For the years ending	
	August 31, 1930	August 31, 1931
Barbers, three	1,530.00	1,530.00
Blacksmith	720.00	720.00
Butcher and creamery man	720.00	720.00
Carpenter and assistant	1,620.00	1,620.00
Chaplain	400.00	400.00
Cook, chief	900.00	900.00
Cook, first assistant	600.00	600.00
Cooks, thirteen, one to be used by Superintendent	6,200.00	6,200.00
Cooks, tuberculosis cottages, two	1,200.00	1,200.00
Dairyman	1,200.00	1,200.00
Dairyman, assistants, two	1,200.00	1,200.00
Dentist	1,800.00	1,800.00
Dietician	1,500.00	1,500.00
Dining room girls, twenty-six	10,920.00	10,920.00
Engineer, chief	1,500.00	1,500.00
Engineer, first assistant	1,000.00	1,000.00
Engineer, second assistant	840.00	840.00
Engineer, third assistant	720.00	720.00
Engineer, fourth assistant	720.00	720.00
Engineer, ice and laundry	720.00	720.00
Farm superintendent	900.00	900.00
Farm hands, three	1,440.00	1,440.00
Fireman, three	1,800.00	1,800.00
Gardener	900.00	900.00
Hall boy	600.00	600.00
Hostler and truck driver	600.00	600.00
Head laundress	900.00	900.00
Laundress, assistant	600.00	600.00
Laundresses, twenty	8,400.00	8,400.00
Librarian	600.00	600.00
Matron	720.00	720.00
Mattress maker	720.00	720.00
Night attendants, forty	19,200.00	19,200.00
Night watchman, outside, two	1,200.00	1,200.00
Nurse, superintendent	1,200.00	1,200.00
Nurses, six	6,480.00	6,480.00
Occupational therapy teacher	1,200.00	1,200.00
Occupational therapy assistants, seven	4,800.00	4,800.00
Painters	1,440.00	1,440.00
Parkman and florist	720.00	720.00
Pharmacist	1,200.00	1,200.00
Plasterer	900.00	900.00
Plumber, assistant	720.00	720.00
Roentgenologist and technician	1,800.00	1,800.00
Scavenger	480.00	480.00
Seamstresses, eight	3,840.00	3,840.00
Shoemaker	900.00	900.00
Stenographer	1,000.00	1,000.00
Stenographers, assistants, two	1,440.00	1,440.00
Storekeeper and accountant, with board and laundry for self and family	1,500.00	1,500.00
Storekeeper and accountant, first assistant	1,000.00	1,000.00
Storekeeper and accountant, second assistant	720.00	720.00
Supervisors, two	1,800.00	1,800.00
Supervisresses, two	1,800.00	1,800.00
Supervisor, night	720.00	720.00
Supervisresses, night	720.00	720.00
Tailor and seamstress	720.00	720.00
Telephone operators, two	1,200.00	1,200.00
Social service workers	2,400.00	2,400.00

	For the years ending	
	August 31, 1930	August 31, 1931
Expense of workers	900.00	900.00
Total Salaries	\$ 216,500.00	\$ 216,500.00
Maintenance and Miscellaneous:		
Support and maintenance	305,000.00	305,000.00
General repair and painting	20,000.00	20,000.00
To build concrete porches	25,000.00	25,000.00
Fund for individual treatment	7,500.00	7,500.00
Traveling expenses for superintendent	300.00	300.00
Steam heat material and repairs		5,000.00
Turbine and generator		8,500.00
Refrigerator and storage and equipment	10,000.00	
Total	\$ 367,800.00	\$ 371,300.00
Grand Total	\$ 584,300.00	\$ 587,800.00

Terrell State Hospital.

Salaries of:

Superintendent, with provisions for himself and family, not to exceed in value \$500.-00 per annum with water, lights, fuel, laundry and housing	3,250.00	3,250.00
Assistant physician, with board and laundry for himself and family	2,200.00	2,200.00
Assistant physicians, with board and laundry for themselves and families, two	4,000.00	4,000.00
Assistant physicians, with board and laundry for themselves and families, two	3,600.00	3,600.00
Assistant physician, one, with board and laundry for himself and family	1,800.00	1,800.00
Attendants, salary not to exceed \$50.00 per month, one hundred	48,000.00	48,000.00
Attendants, salary not to exceed \$50.00 per month, seventy-four, to comply with 9-54 law	35,520.00	35,520.00
Attendants, night, salary not to exceed \$50.00 per month, twenty six	11,880.00	11,880.00
Attendants, night, salary, not to exceed \$50.00 per month, four	1,920.00	1,920.00
Baker	900.00	900.00
Baker, assistants, two	960.00	960.00
Barbers, three	1,500.00	1,500.00
Blacksmith	720.00	720.00
Butcher	720.00	720.00
Carpenter	900.00	900.00
Carpenter assistant,	720.00	720.00
Chaplain	400.00	400.00
Cook, chief	900.00	900.00
Cook, assistant	600.00	600.00
Cooks, assistants, nine	4,320.00	4,320.00
Cook, one	480.00	480.00
Cooks, hospital, two	960.00	960.00
Dentist, full time	1,600.00	1,600.00
Dietitian	1,500.00	1,500.00
Druggist, registered	1,200.00	1,200.00
Dining room girls, six	2,520.00	2,520.00
Dining room girls, two	840.00	840.00
Dairyman	1,200.00	1,200.00
Dairyman, assistants, two	1,200.00	1,200.00
Engineer, chief	1,500.00	1,500.00
Engineer, and electrician, assistant	1,000.00	1,000.00
Engineer, night	1,000.00	1,000.00

	For the years ending	
	August 31, 1930	August 31, 1931
Engineer, ice plant	720.00	720.00
Engineer, laundry	600.00	600.00
Farm hands, three	1,440.00	1,440.00
Firemen, four	2,400.00	2,400.00
Gardener	900.00	900.00
Gardener, assistant	480.00	480.00
Hall and mail man	600.00	600.00
Laundress, head	900.00	900.00
Laundress, assistant head	600.00	600.00
Laundresses, fifteen	6,300.00	6,300.00
Laundresses, two	840.00	840.00
Matron	720.00	720.00
Mattress Maker	600.00	600.00
Nurses, trained, six	3,600.00	3,600.00
Nurses, trained, two	1,200.00	1,200.00
Outside watchmen, two	1,200.00	1,200.00
Painter	900.00	900.00
Painter, assistant	480.00	480.00
Plasterer	720.00	720.00
Plasterer, assistant	480.00	480.00
Phone and elevator operator	480.00	480.00
Plumber	1,000.00	1,000.00
Plumber assistant	720.00	720.00
Roentgenologist, technician and pathologist	1,200.00	1,200.00
Storekeeper and accountant, board and laundry for self and family	1,500.00	1,500.00
Storekeeper and accountant, assistant	900.00	900.00
Stenographer and clerk, store room	720.00	720.00
Stenographer	1,000.00	1,000.00
Supervisors, two	1,800.00	1,800.00
Supervisoreses, two	1,800.00	1,800.00
Supervisor, night	720.00	720.00
Supervisores, night	720.00	720.00
Superintendent of farm	900.00	900.00
Seamstress, six	2,880.00	2,880.00
Shoemaker	900.00	900.00
Scavenger	480.00	480.00
Tailoress and seamstress	720.00	720.00
Teacher, occupational therapy	1,200.00	1,200.00
Yardman	600.00	600.00
Head Force	1,200.00	1,200.00
Total Salaries	\$ 186,930.00	\$ 186,930.00
General Maintenance and Miscellaneous:		
General repairs	20,000.00	20,000.00
Repairs and reset three boilers	8,000.00	
Livestock	800.00	800.00
Fireproof, concrete floors	25,000.00	25,000.00
Repair and material for power house	12,000.00	
Support and maintenance	275,000.00	285,000.00
Barber shop equipment	1,000.00	
Transportation	750.00	750.00
Traveling expense of superintendent by ad- vice of board of control	250.00	250.00
Total	\$ 342,800.00	\$ 351,800.00
Grand Total	\$ 529,730.00	\$ 514,730.00

State Tuberculosis Sanatorium.

Salaries of:

Superintendent, with provisions for himself
and family, not to exceed in value \$500.00

	For the years ending	
	August 31, 1930	August 31, 1931
per annum with water, lights, heat, laundry and housing	3,250.00	3,250.00
First assistant physician, with board and laundry for self and family	2,200.00	2,200.00
Second assistant physician, with board and laundry for self and family	2,000.00	2,000.00
Third assistant physician, with board and laundry for self and family	2,000.00	2,000.00
Fourth assistant physician, with board and laundry for self and family	1,800.00	1,800.00
Fifth assistant physician, with board and laundry for self and family	1,800.00	1,800.00
Sixth assistant physician, with board and laundry for self and family	1,800.00	1,800.00
Chaplain	600.00	600.00
Dentist	600.00	600.00
Druggist	1,200.00	1,200.00
Laboratory with X-Ray expert	1,500.00	1,500.00
Laboratory assistant	600.00	600.00
Librarian	300.00	300.00
Seamstress	720.00	720.00
Stenographer and record keeper	1,000.00	1,000.00
Telephone operators, two	720.00	720.00
Storekeeper and accountant, with board and laundry for self and family	1,200.00	1,200.00
Storekeeper, assistant	900.00	900.00
Storeroom helper and stenographer	600.00	600.00
Meat cutter and butcher	900.00	900.00
Engineer, chief	1,500.00	1,500.00
Engineer, assistant	1,000.00	1,000.00
Electrician	720.00	720.00
Plumber	720.00	720.00
Operator water works and sewer plant	600.00	600.00
Ice plant engineers, two	1,440.00	1,440.00
Firemen, three	2,160.00	2,160.00
Superintendent of nurses	1,200.00	1,200.00
Graduate nurses, twelve	8,340.00	8,340.00
Pupil nurses, forty	9,600.00	9,600.00
Cleaners and sweepers, twelve	2,880.00	2,880.00
Housekeepers, three	900.00	900.00
Picture show operator	420.00	420.00
Dairy foreman	1,200.00	1,200.00
Dairy assistants, five	2,820.00	2,820.00
Laundry foreman	1,200.00	1,200.00
Laundry marker and sorter	720.00	720.00
Laundry washroom man	720.00	720.00
Laundry workers, four	1,920.00	1,920.00
Laundresses, twelve	5,040.00	5,040.00
Outside supervisor	900.00	900.00
Farm hands, five	2,400.00	2,400.00
Yardmen, two	1,440.00	1,440.00
Teamsters, two	960.00	960.00
Hack driver or chauffeur	420.00	420.00
Gardners, two	1,380.00	1,380.00
Night watchman	900.00	900.00
Painter	900.00	900.00
Poultryman	900.00	900.00
Carpenter	900.00	900.00
Matron	1,200.00	1,200.00
Baker	1,200.00	1,200.00
Cook, chief	1,200.00	1,200.00

	For the years ending	
	August 31, 1930	August 31, 1931
Cooks, assistant, eleven	6,720.00	6,720.00
Dishwashers, ten	5,600.00	5,600.00
Waitresses, twenty-six	9,360.00	9,360.00
Pot washers, two	960.00	960.00
Total Salaries	\$ 106,150.00	\$ 106,150.00
Miscellaneous Items:		
Support and maintenance	185,000.00	200,000.00
Laboratory and X-Ray equipment	1,000.00	1,000.00
Books, film and amusements	2,000.00	2,000.00
Traveling expenses	300.00	300.00
Implements, machine and seed	1,000.00	1,000.00
Publicity Department	12,500.00	12,500.00
Improvement yards and grounds	1,000.00	1,000.00
Total	\$ 202,800.00	\$ 217,800.00
Repairs and Improvements:		
General repairs	7,500.00	7,500.00
New warehouse and storeroom	25,000.00	
Change storeroom to living quarters		5,000.00
Change current from DC to AC	2,000.00	
Two washers and one press for laundry		7,000.00
Pumps and motor for water system	1,500.00	
Repairs and extensions, water and sewer system	5,000.00	
Engine, generator and boiler		21,000.00
Pump and reservoir for water	5,000.00	
Extension of tunnel		7,500.00
Dormitory		100,000.00
Total	\$ 46,000.00	\$ 148,000.00
Children's Department:		
Building	100,000.00	
Equipment and operation to be spent under direction of Board of Control	50,000.00	
Support and maintenance and equipment and operation, including additional fuel	20,000.00	30,000.00
Totals	\$ 170,000.00	\$ 30,000.00
Grand Total	\$ 524,950.00	\$ 501,950.00

Wichita Falls State Hospital.

Salaries of:

Superintendent, with provisions for himself and family, not to exceed in value \$500.00 per annum, with heat, light, water, laundry and housing	3,250.00	3,250.00
Assistant physician, board and laundry for self and family	2,200.00	2,200.00
Assistant physician, two, with housing, board and laundry for selves and families	4,000.00	4,000.00
Assistant physicians, two, with housing, board and laundry for selves and families	3,600.00	3,600.00
Attendants	67,500.00	67,500.00
Baker	900.00	900.00
Baker, assistant and butcher	600.00	600.00
Barbers, two	1,320.00	1,320.00
Carpenter	900.00	900.00
Carpenter, assistant	720.00	720.00
Chaplain	400.00	400.00

	For the years ending	
	August 31, 1930	August 31, 1931
Cooks, twelve	7,200.00	7,200.00
Dentist, with room, board and laundry for self and family	1,600.00	1,600.00
Dietician	1,500.00	1,500.00
Eye, ear, nose and throat surgeon, part time	300.00	300.00
Engineer, chief	1,500.00	1,500.00
Engineer, assistant	1,000.00	1,000.00
Engineer, night	900.00	900.00
Engineer, ice plant	720.00	720.00
Firemen, two	1,200.00	1,200.00
Farm superintendent	900.00	900.00
Farm hands, three	1,440.00	1,440.00
Gardener	900.00	900.00
Hall man	540.00	540.00
Laundress, head	900.00	900.00
Laundresses, ten	4,800.00	4,800.00
Laundry machinist	900.00	900.00
Matron	720.00	720.00
Mattress maker	720.00	720.00
Meat cutter	720.00	720.00
Night watchman	720.00	720.00
Nurse, supervising	1,200.00	1,200.00
Nurses, night, eighteen	10,800.00	10,800.00
Painter and plaster	720.00	720.00
Pathologist, part time	720.00	720.00
Plumber	1,000.00	1,000.00
Psychiatric social worker	1,500.00	1,500.00
Pharmacist	1,200.00	1,200.00
Roentgenologist and technician	1,500.00	1,500.00
Seamstress, head	720.00	720.00
Seamstress, four	2,400.00	2,400.00
Shoemaker	720.00	720.00
Storekeeper and accountant, with board, room and laundry for self and family	1,500.00	1,500.00
Assistant to storekeeper and accountant	1,000.00	1,000.00
Stenographer, main office	900.00	900.00
Supervisor, day	1,000.00	1,000.00
Supervisor, assistant	720.00	720.00
Supervisor, night	720.00	720.00
Supervisor, day	900.00	900.00
Supervisor, assistant	720.00	720.00
Supervisor, night	720.00	720.00
Teachers, occupational therapy, two	1,920.00	1,920.00
Telephone operator and filing clerk	720.00	720.00
Truck driver	600.00	600.00
Yardman	900.00	900.00
Total Salaries	\$ 149,370.00	\$ 149,370.00
Maintenance and Miscellaneous:		
To purchase purebred dairy Cattle	3,500.00	3,500.00
Support and maintenance	200,000.00	200,000.00
Transportation of patients	750.00	750.00
Traveling expense of Superintendent with approval of Board of Control	300.00	300.00
Total	\$ 204,550.00	\$ 204,550.00
Repairs and Improvements:		
Hospital and equipment	40,000.00	
Garage	500.00	
General repairs and improvements	10,000.00	7,500.00

	For the years ending	
	August 31, 1930	August 31, 1931
Ice plant enlargement		10,000.00
Storeroom, employees' dormitory and occupational therapy building		50,000.00
Ward building for two hundred patients each and equipment	125,000.00	125,000.00
Electrical distribution, turbine generator and engine room	15,000.00	
New laundry equipment	7,500.00	
Pipe covering for steam pipes		4,000.00
Water works system; pump, pipe, house and equipment		7,500.00
Addition to dairy barn and equipment	5,000.00	5,000.00
Hard surface roads and drives	1,000.00	
Salary reserve in case of new building	10,440.00	10,440.00
Total	\$ 214,440.00	\$ 219,440.00
Grand Total	\$ 568,360.00	\$ 573,360.00

State Sychopathic Hospital.

Superintendent, with provisions, for himself and family, not to exceed in value \$500.00 per annum, together with water, lights, laundry, fuel and housing (S)	4,000.00	4,000.00
Assistant physician	500.00	2,000.00
Bacteriologist	500.00	2,000.00
Nurses, three	900.00	3,600.00
Attendants, four	720.00	2,880.00
Housekeeper	225.00	900.00
Cook	225.00	900.00
Cook, assistant	150.00	600.00
Maids, two	300.00	1,200.00
Janitor	180.00	720.00
Support and maintenance	7,500.00	25,000.00
Building and Equipment	150,000.00	
Total	\$ 165,200.00	\$ 43,800.00

Provided, the site for the above hospital to be furnished free to the State, and to be located as provided by law.

Alabama and Coushati Indians in Polk County, Texas.

Salaries of:

One agent (one-half salary, to be paid by federal government)	1,500.00	1,500.00
One nurse (to be appointed by and under supervision of state board of health)	1,500.00	1,500.00
Dental work	1,000.00	1,000.00
Medical	1,200.00	1,200.00
Total Salaries	\$ 5,200.00	\$ 5,200.00

Improvements:

50 homes for inmates	15,000.00	15,000.00
26 miles of fencing	7,500.00	
Total Improvements	22,500.00	15,000.00
Grand Total	27,700.00	20,200.00

It is provided that all employees, except as otherwise provided shall be appointed by and be under supervision of the Board of Control.

Recapitulation.
Eleemosynary Institutions.

	For the years ending	
	August 31, 1930	August 31, 1931
Abilene State Hospital	344,470.00	343,470.00
Austin State School	375,400.00	345,480.00
Austin State Hospital	578,910.00	548,410.00
Texas Confederate Home	197,440.00	187,190.00
Confederate Woman's Home	76,330.00	59,330.00
Deaf, Dumb and Blind Institute for Colored Youths	172,390.00	102,940.00
Girls Training School	103,460.00	98,710.00
Home for Dependent and Neglected Children	132,940.00	89,590.00
State Hospital for Crippled and Deformed Children	18,366.00	17,440.00
State Juvenile Training School	270,100.00	265,350.00
State Orphan Home	331,890.00	343,190.00
Rusk State Hospital	548,710.00	533,150.00
San Antonio State Hospital	584,300.00	587,800.00
Terrell State Hospital	529,730.00	518,730.00
State Tuberculosis Sanitorium	524,950.00	501,950.00
Wichita Falls State Hospital	568,360.00	573,360.00
State Psychopathic Hospital at Galveston...	165,200.00	43,800.00
Total	\$ 5,322,946.00	\$ 5,159,890.00
Grand Total For Biennium	\$10,482,836.00	

All salaries shall be paid in twelve equal monthly installments except as otherwise herein provided; and all employees may receive board except when otherwise stated.

No property belonging to any one of the above institutions shall be sold or disposed of without the consent of the Board of Control; and all proceeds from the sale of any such property, from labor performed, and from the sale of crops and pay patients funds, shall become a special fund to be expended under the direction and approval of the State Board of Control. The State Board of Control is hereby directed to use out of the proceeds of said special fund, the sum of ten thousand dollars or so much thereof as may be necessary to equip each ward of each of the State Hospitals, The Austin State School and Tuberculosis Sanitorium, with radio loud speakers, for the entertainment and diversion and therapeutic improvement of the patients, and a complete statement of all such transactions shall be made in the annual report of said institutions.

The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and for the several purposes named herein, and no expenditure shall be

made, nor shall any obligations be incurred, which, added to the actual expenditures will exceed the amount herein appropriated for either of said purposes.

If any work be not done or the place not filled by the appointment of a person, for whom a salary is herein fixed, then such salary shall lapse and be returned to or left in the State Treasury; provided, that no person for whom any salary is herein fixed shall be allowed to draw more than the amount of such salary from any other salary or amount herein fixed, or from any fees authorized to be charged or from any State fund or funds under the control of the governing authority of such particular institution; and provided, that if any amount herein fixed for any particular purpose be not used for such purpose, in whole, or in part, the unused portion of such fixed amount shall be returned to or left in the State Treasury; provided further that this language shall not be construed to prevent promotion, or the transfer of one employee from the position for which employed, having affixed thereto one salary, to another position having affixed a different salary.

When, under this bill, the family of one superintendent, officer or

employee of any of the said institutions, are permitted to live at said institution, and furnished with board, fuel, lights, laundry, water, housing, or furnished any of said things the word "family" shall be construed to mean the immediate family of said superintendent, officer or employee, including himself, wife and minor children only, and when any officer or employee is to be furnished with provisions not to exceed some certain amount stated, it shall be the duty of the storekeeper and accountant to charge said superintendent, officer or employee with each item of provisions as furnished him, showing the price or value thereof, and said storekeeper shall not permit the amount authorized to be exceeded, and shall make a monthly report of same to the Board of Control and said Board of Control shall be charged with the duty of seeing that no account for such provisions exceeds the amount allowed therefor.

And it shall be further provided that the heads of all said institutions hereinbefore mentioned shall keep a record of the absences of the various employees and the reasons therefor, whether from sickness, vacation, or leave of absence, and that the record of such absences be incorporated in the report made annually by the head of said institution.

Provided, that all new buildings authorized by this Act, costing more than \$10,000.00, and for which appropriations are hereby made, except as otherwise provided, shall be of fireproof construction.

The amounts appropriated in this Act are intended to cover and shall cover the entire cost of the respective items; and shall not be supplemented from any other source whatever, and no portion of the money appropriated for any particular item shall be used or expended for any other item than that for which such appropriation was made; and no salary for which an appropriation is made herein shall be paid to any person unless such person actually discharges the duties of the position for which such appropriation was made; and no portion of an appropriation for one position shall be paid to any person holding any position other than that for which such appropriation was made; and it is es-

pecially provided hereby, that all contracts and undertakings entered into, under and by virtue of the terms hereof, for improvements, enlargements and repairs on buildings and grounds, and for the construction of new buildings and for furnishings and equipment of buildings, shall be made strictly within the limits and terms of the appropriations made for such purposes, and it shall be the duty of the Board of Control of the various institutions, in the consideration and adoption of plans, specifications and contracts therefor, not to exceed such appropriations nor to incur any obligations in excess thereof.

Sec. 2. Any superintendent of any of the foregoing institutions named in this bill, for which an appropriation is made herein, or any other person charged with the duty of disbursing the funds appropriated herein, who shall knowingly violate any of the provisions of this Act shall be deemed guilty of official misconduct, which shall be, and the same is hereby made, a ground for the removal of such person from office.

Sec. 3. The fact that the above and foregoing is one of the regular appropriation bills for the support of the State eleemosynary institutions for the two fiscal years beginning September 1, 1929, and ending August 31, 1931, creates a necessity for the expediting of the passage of this appropriation bill, and an emergency and an imperative public necessity which demands that the constitutional rule requiring bills to be read on three several days be suspended, and that this bill become effective from and after its passage, and it is so enacted.

Read and adopted.

Free Conference Report.

Senator Pollard sent up the following Free Conference Committee report:

(Report on S. B. No. 4.)

The report was read.

Senator Moore moved to strike the Houston Bank item out of the Free Conference report.

Senator Berkeley moved to return the report to the Committee with the instruction that the item concerning the New Mexico boundary be inserted.

On motion of Senator Lcve, the previous question was ordered on

the further consideration of the report.

Senator Berkeley's motion was adopted.

Senator Moore's motion was lost by the following vote:

Yeas—12.

Berkeley.	Miller.
Cousins.	Moore.
Cunningham.	Neal.
DeBerry.	Parrish.
Greer.	Small.
McFarlane.	Wirtz.

Nays—14.

Gainer.	Russek.
Hardin.	Stevenson.
Hornsby.	Thomason.
Love.	Westbrook.
Parr.	Witt.
Patton.	Woodul.
Pollard.	Woodward.

Present—Not Voting.

Beck.

Absent.

Holbrook.	Martin.
Hyer.	Williamson.

Committee Appointed.

In accordance with S. C. R. No. 16, the Chair appointed Senators Martin and Martin to inspect the college at Milford.

Motion to Concur.

On motion of Senator Woodul, the Senate concurred in the House amendment to S. B. No. 169 by the following vote:

Yeas—30.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
McFarlane.	Witt.
Miller.	Woodul.
Moore.	Woodward.

Absent.

Martin.

Free Conference Requested.

On motion of Senator Williamson, the Senate refused to concur in the House Amendments to S. B. No. 11, and requests a Free Conference Committee.

The Chair appointed the following on the part of the Senate:

Senators Williamson, DeBerry, McFarlane, Miller, and Woodward.

Bills Signed.

The Chair, Lieutenant Governor Barry Miller, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

H. B. No. 167.	S. C. R. No. 19.
S. B. No. 153.	S. C. R. No. 15.
S. B. No. 21.	S. B. No. 9.
S. B. No. 121.	S. B. No. 169.
S. C. R. No. 16.	

Motion to Reconsider.

Senator Holbrook moved to reconsider the vote by which H. B. No. 79 was finally passed. The motion prevailed.

Senator Holbrook sent up the following amendment:

Amend Section 6 of H. B. No. 79 by adding at the end thereof the following:

"No person shall be eligible to have his name placed either on the official primary ballot or official ballot at the general election as a candidate for Superintendent of Public Instruction or to hold the office of Superintendent of Public Instruction, who has theretofore accepted or received contributions to his campaign fund from any text book publishing house or any agent or representative of such publishing house, who at the time of such contribution was known to such candidate to be such agent or representative of any publishing house."

HOLBROOK.

Read and adopted by the following vote:

Yeas—30.

Beck.	DeBerry.
Berkeley.	Gainer.
Cousins.	Greer.
Cunningham.	Hardin.

Holbrook.	Pollard.
Hornsby.	Russek.
Hyer.	Small.
Love.	Stevenson.
McFarlane.	Thomason.
Miller.	Westbrook.
Moore.	Williamson.
Neal.	Wirtz.
Parr.	Witt.
Parrish.	Woodul.
Patton.	Woodward.

Absent.

Martin.

Senator McFarlane sent up the following amendment:

Amend H. B. No. 79 by amending the caption to conform to the bill as amended.

McFARLANE.

Read and adopted by a vote of 30 yeas.

The bill as amended finally passed by the following vote:

Yeas—30.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
McFarlane.	Witt.
Miller.	Woodul.
Moore.	Woodward.

Absent.

Martin.

House Bill No. 75.

The question recurred upon the substitute for H. B. No. 75.

Senator Wirtz moved to table the substitute. The motion was lost by the following vote:

Yeas—12.

Beck.	Parr.
Cousins.	Russek.
Holbrook.	Stevenson.
Hornsby.	Westbrook.
Miller.	Witt.
Moore.	Woodul.

Nays—13.

Berkeley.	McFarlane.
Cunningham.	Neal.
DeBerry.	Pollard.
Gainer.	Small.
Greer.	Williamson.
Hardin.	Woodward.
Love.	

Absent.

Parrish.

Patton.

(Pairs Recorded.)

Senator Thomason (present), who would vote yea with Senator Martin (absent), who would vote nay.

Senator Wirtz (present), who would vote yea with Senator Hyer (absent), who would vote nay.

House Bill No. 6.

Senator Williamson moved to suspend the regular order and take up H. B. No. 6.

Senator Love moved the previous question on the motion. The previous question was ordered by the following vote:

Yeas—18.

Beck.	Moore.
Berkeley.	Neal.
Cunningham.	Parrish.
DeBerry.	Patton.
Gainer.	Small.
Greer.	Stevenson.
Hornsby.	Thomason.
Love.	Williamson.
McFarlane.	Woodward.

Nays—8.

Cousins.	Russek.
Holbrook.	Wirtz.
Miller.	Witt.
Parr.	Woodul.

Present—Not Voting.

Westbrook.

Absent.

Hardin.	Martin.
Hyer.	Pollard.

The motion to take up H. B. No. 6 prevailed by the following vote:

Yeas—20.

Beck.	DeBerry.
Berkeley.	Gainer.
Cunningham.	Greer.

Hardin.	Pollard.
Love.	Small.
McFarlane.	Stevenson.
Moore.	Thomason.
Neal.	Westbrook.
Parrish.	Williamson.
Patton.	Woodward.

Nays—9.

Cousins.	Russek.
Holbrook.	Wirtz.
Hornsby.	Witt.
Miller.	Woodul.
Parr.	

Absent.

Hyer.	Martin.
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The Chair laid before the Senate the following bill:

By Mr. Tillotson:

H. B. No. 6. A bill to be entitled "An Act imposing an excise tax on motor fuels as defined herein, including all fuels ordinarily, practically and commercially usable in internal combustion engines for the generation of power, sold, distributed or used in this State by distributors, as defined, with certain exceptions, including crude oil, fuel oil and kerosene, and exempting motor fuels distributed or sold to and used by the United States government, requiring distributors to file applications and obtain permits before engaging in the use, sale and distribution of motor fuels as distributors, and the time and manner of procuring the same, etc., and declaring an emergency."

Read second time.

Senator Williamson sent up the following substitute for the bill:

House Bill No. 75.

The Chair laid before the Senate on second reading the following bill:

By Mr. Tillotson, et al:

H. B. No. 75. A bill to be entitled "An Act relating to the registration of motor vehicles, trailers, semi trailers, or other device drawn, transported, or used on the public highways; prescribing the license fees required for their registration; etc., and declaring an emergency."

The bill was read second time.

Senator Williamson sent up the following substitute:

By Senators Williamson, Hyer, Hardin, Love, Martin, Cunningham, DeBerry, Berekeley, Parrish, Pollard, McFarlane, Small, Neal, Gainer.

Amend H. B. No. 75 by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. Definitions of Terms. The following words and terms as used herein, have the meaning respectively ascribed to them in this Section, as follows:

(a) "Vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon a public highway, except devices moved only by human power or used exclusively upon stationary rails or tracks.

(b) "Motor Vehicle" means every vehicle, as herein defined, that is self-propelled.

(c) "Motorcycle" means every motor vehicle designed to propel itself on not more than three wheels in contact with the ground.

(d) "Truck Tractor" means every motor vehicle designed or used primarily for drawing other vehicles, and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

(e) "Farm Tractor" means every motor motor vehicle designed and used primarily as a farm implement for drawing other implements of husbandry.

(f) "Road Tractor" means every motor vehicle designed or used for drawing other vehicles or loads, and not so constructed as to carry a load independently or any part of the weight of the drawn load or vehicle.

(g) "Trailer" means every vehicle designed or used to carry its load wholly on its own structure and to be drawn by a motor vehicle.

(h) "Semi-trailer" means every vehicle of the trailer type so designed or used in conjunction with a motor vehicle that some part of its own weight and that of its load rests upon or is carried by another vehicle.

(i) "Commercial Motor Vehicle" means any motor vehicle other than a motorcycle designed or used for the transportation of property including every vehicle used for delivery purposes.

(j) "Passenger Car" means any motor vehicle other than a motorcycle or a bus, as defined in this Act designed or used primarily for the transportation of persons.

(k) "Department" means the

State Highway Department or its duly authorized officers or agents.

(l) "Owner" means any person who holds the legal title of a vehicle or who has the legal right of possession thereof, or the legal right of control of said vehicle.

(m) "Public highway" shall include any road, street, way, thoroughfare or bridge in this State not privately owned or controlled for the use of vehicles over which the State has legislative jurisdiction under its police power.

(n) "Motor Bus" shall include every vehicle, except those operated by muscular power or exclusively on stationary rails or tracks, which is used in transporting persons between or through two or more incorporated cities and/or towns and/or villages for compensation (or hire) whether operated over fixed routes or otherwise; except such of said vehicles as are operated exclusively within the limits of incorporated cities and/or towns or suburban additions to such towns.

Sec. 2. Every owner of a motor vehicle, trailer or semi-trailer, used or to be used upon the public highways of this State, and each chauffeur, shall apply each year to the State Highway Department through the County Tax Collector of the County in which he resides for the registration of each such vehicle owned or controlled by him, or for a chauffeur's license, for the ensuing or current calendar year or the unexpired portion thereof; provided, however, that owners of farm tractors and implements of husbandry operated or moved temporarily upon the highways shall not be required to register such tractors or implements.

Sec. 3. Application for the registration of a vehicle required to be registered hereunder shall be made on a form furnished by the Department, each such application shall be signed by the owner of the vehicle and shall give his name and address in full, and shall contain a brief description of the vehicle to be registered. Said description, in case of a new motor vehicle, shall include: The trade name of the vehicle; the year model; the style, type of body and the weight, if a passenger car, or the net carrying capacity and gross weight, if a commercial motor vehicle; the motor number; the date

of sale by manufacturer or dealer to the applicant. The application shall contain such other information as may be required by the Department. It is expressly provided, however, that the owner of a vehicle previously registered in any State for the preceding or current year may in lieu of filing an application as hereinbefore directed, present the license receipt and transfer receipts, if any, issued for the registration or transfer of the vehicle for the preceding calendar year, and said receipt or receipts shall be accepted by the County Tax Collector as an application for the renewal of the registration of the vehicle, provided said receipts show that the applicant is the rightful owner thereof. Provided, however, that should an owner or a claimed owner of a motor vehicle or automobile offer to register same but has lost or misplaced the registration receipt or transfer, then upon his furnishing satisfactory evidence to the Tax Collector by affidavit or otherwise that he is the real owner of same, then shall it become the duty of the Tax Collector to issue him license therefor. Owners of motor vehicles trailers and semi-trailers which are the property of, and used exclusively in the service of the United States Government, the State of Texas, or any county or city thereof, shall apply annually to register all such vehicles, but shall not be required to pay the registration fees herein prescribed provided that affidavit is made at the time of registration by a person who has the proper authority that such vehicles are the property of and used exclusively in the service of the United States Government, the State of Texas, or County or city thereof." Application shall be made for the registration of a new vehicle for the unexpired portion of the year in which it is acquired before it is operated on the public highways; except that a new vehicle may be operated by a dealer under a dealer's license number or by its purchaser under a special dealer's cardboard number as provided in Chapter 211, General and Special Laws of the Regular Session of the 40th Legislature. Application for the renewal of registration of a vehicle and for each chauffeur's license for any calendar year shall be made not later than

February first of that year and not earlier than December first of the next preceding calendar year; and during the month of January of each year it shall be lawful to operate any such vehicle under license number plates and license issued for each vehicle for the preceding calendar year.

Sec. (3a) The payment of the license fee prescribed herein for any vehicle shall become delinquent immediately upon the use of said vehicle on any public highway without said fee having been paid in accordance with this Act. In the event the payment of any such fee has become delinquent on any such vehicle, no license or license number plates shall be issued therefor by any County Tax Collector unless the owner of said vehicle pay an additional charge equal to twenty (20) per cent of the total amount of said prescribed fee.

Sec. 4. Each application filed hereunder for registration or chauffeur's license during January shall be accompanied by the full amount

of the annual fee; application filed after January shall be accompanied by the full amount of the annual fee if the vehicle was operated on the public highways or streets during any portion of January of that year, each application for registration filed during February or any subsequent month shall be accompanied by affidavit that such vehicle has not been previously operated upon the highways of this State during any portion of the current year and shall be accompanied by eleven-twelfths, ten-twelfths, nine-twelfths, eight-twelfths, seven-twelfths, six-twelfths, five-twelfths, four-twelfths, three-twelfths, two-twelfths, or one-twelfth respectively of the annual fee.

Sec. 5. The annual license fee for the registration of a motorcycle shall be five dollars and for each sidecar Three Dollars.

The annual license fee for the registration of a passenger car shall be based upon the weight of a vehicle as follows:

Weight in pounds	Fee per 100 pounds or fraction thereof
0001 to 2000	\$.28
2001 to 3500	.36
3501 to 4500	.48
4501 and up	.50

The weight of any passenger car, for purposes of registration, shall be the weight generally accepted as its correct shipping weight plus 100 pounds.

Gross weight in Pounds

Equipped with Pneumatic Tires	Fee per 100 pounds or fraction thereof	Equipped with Solid Rubber Tires
0,001- 6,000 \$.30		\$.40
6,001- 8,000 .40		.50
8,001-10,000 .50		.60
10,001-12,000 .60		.80
12,001-14,000 .80		1.00
14,001-16,000 1.20		1.50
16,001-22,000 1.60		2.00
22,001-and up 4.00		5.00

The term gross weight as used in this Section shall mean the actual weight of the vehicle fully equipped with body and other equipment, as certified by any official public weigher or any license and weight inspector of the State Highway Department, plus its net carrying capacity. "Net carrying capacity" of any vehicle except a bus as used in this Section shall be the weight of

Sec. 6. The annual license fee for the registration of a commercial motor vehicle or truck tractor shall be based upon the gross weight and tire equipment of the vehicle as follows:

the heaviest net load to be carried on the vehicle being registered; provided said net carrying capacity shall in no case be less than the manufacturer's rated carrying capacity. "The net carrying capacity of a bus as defined in this Act shall be computed by multiplying its seating capacity by one hundred and fifty pounds. The seating capacity of any such vehicle shall be the manufac-

turer's rated seating capacity exclusive of the driver's or operator's seat. The seating capacity of any such vehicle not rated by the manufacturer shall be determined by allowing one passenger for each sixteen inches that such vehicle will seat, exclusive of the driver's or operator's seat."

Sec. 7. The annual license fee for the registration of a road tractor shall be based upon the weight of the tractor, as certified by any official Public Weigher or any License and Weight Inspector of the State Highway Department, as follows:

0,001- 4,000 lbs.	_____	\$.25 per cwt.
4,001- 6,000 lbs.	_____	.50 per cwt.
6,001- 8,000 lbs.	_____	.60 per cwt.
8,001-10,000 lbs.	_____	.75 per cwt.
10,001-16,000 lbs.	_____	1.00 per cwt.
16,001-20,000 lbs.	_____	2.00 per cwt.

Sec. 8. The annual license fee for the registration of a trailer or semi-trailer shall be based upon the gross

weight and tire equipage of the trailer or semi-trailer as follows:

	Equipped with Pneumatic Tires	Equipped with Solid Tires	Fees per 100 pounds or fraction thereof. Equipped with Steel Tires
0,001- 6,000	\$.30	\$.40	\$1.00
6,001- 8,000	.40	.50	1.25
8,001-10,000	.50	.60	1.50
10,001-12,000	.60	.80	2.00
12,001-14,000	.80	1.00	2.50
14,001-16,000	1.20	1.50	3.00
16,001-22,000	1.60	2.00	4.00
22,000-and-up	4.00	5.00	6.00

The term gross weight as used in this Section means the actual weight of the trailer or semi-trailer, as officially certified by any Public Weigher or any License and Weight Inspector of the State Highway Department, plus its net carrying capacity. "Net carrying capacity" as used in this Section shall be the weight of the heaviest net load to be

carried on the vehicle being registered; provided said net carrying capacity shall in no case be less than the manufacturer's rated carrying capacity.

Sec. (8a.) Annual license fees for the registration of motor busses shall be based upon the "gross weight" of the vehicle as follows:

Gross weight in Lbs.	Fee per 100 lbs. or fraction thereof. Equipped with Pneumatic Tires	Equipped with Solid Tires
1- 4000	\$1.10	\$1.25
4001- 6000	1.15	1.40
6001- 8000	1.30	1.50
8001-16000	1.40	1.60
16001-24000	1.40	1.75
24001-28000	1.40	2.00
28001-Up	4.00	6.00

Sec. (8b). Provided that no vehicle shall be registered with four wheels, or less, whose gross weight, including load, exceeds 22,000 lbs.; that no vehicle shall be registered with six wheels, whose gross weight, including load, exceeds 30,000 lbs.; (axles of the latter type of vehicle to be spaced not less than 40 inches apart).

Sec. 9. The Department shall compile and furnish to the county tax collectors a complete and detailed schedule of license fees to be collected on the various makes, models and types of vehicles required to be registered hereunder; and the weight, net weight, or gross weight of any vehicle required to be registered, as determined by the Depart-

ment, shall be accepted as correct for registration purposes to the exclusive of any and all other purported weights of said vehicle.

Sec. 10. Apportionment of Funds. On Monday of each week each county tax collector shall deposit in the county depository of his county to the credit of the county road and bridge fund an amount equal to 100 per cent of net collections made hereunder during the preceding week until the amount so deposited for the current calendar year shall have reached a total sum of \$50,000.00.

Thereafter, and until the amount so deposited for the year shall have reached a total of \$250,000.00 he shall deposit to the credit of said fund on Monday of each week an amount equal to 50 per cent of collections made hereunder during the preceding week.

Thereafter, he shall make no further deposits to the credit of said fund during that calendar year. All collections made during any week under the provisions of this Act in excess of the amounts required to be deposited to the credit of the road and bridge fund of his county shall be remitted by each county tax collector on each Monday of the succeeding week to the State Highway Department, together with carbon copies of each license receipt issued hereunder during the preceding week. He shall also on Monday of each week remit to the Department as now provided by law, all transfer fees and chauffeurs' license fees collected by him during the preceding week, together with carbon copies of all receipts issued for said fees during the week. He shall also accompany all remittances to the Highway Department with a complete report of such collections made and disposition made thereof, the form and contents of said report to be prescribed by the State Highway Department. None of the monies so placed to the credit of the road and bridge fund of a county shall be used to pay the salary or compensation of any county judge or county commissioners, but all said monies shall be used for the construction and maintenance of lateral roads in such county under the supervision of the county engineer, if there be one, and if there is no such engineer, then the county commissioners' court shall have authority to command the

services of the Division Engineer of the State Highway Department for the purpose of supervising the construction and surveying of lateral roads in their respective counties.

Fifty (50) per cent, or so much thereof as shall be necessary, of all funds allocated to the counties by the provisions of this Act, may be used by the counties in the payment of obligations, if any, issued and incurred in the construction or the improvement of all roads, including State Highways or such counties and districts therein; and fifty (50) per cent of such funds may be used in the construction and the improvement of the roads comprising the county road system; provided, that when such obligations have been retired, all funds allocated to the counties may be used in the construction or improvement of the roads comprising the county road system; and provided further, that in all counties in which there are no obligations incurred and issued in the construction or improvement of roads in counties or districts therein, all funds allocated to such counties may be used by the counties in the construction or improvement of the roads comprising the county road system. And provided further, that all funds allocated to counties containing one hundred and fifty thousand inhabitants or over according to the 1920 Census may be used by such counties in the payment of the obligations, if any, incurred and issued in the construction or improvement of all roads, including State Highways; and/or may be used in the construction or improvement of the roads comprising the county road system.

Sec. (10A.) All funds required by this Act to be remitted to the State Highway Department, which are not so remitted within thirty days after being collected, shall thereafter bear interest for the benefit of the State Highway Fund at the rate of 10 per cent per annum, which interest shall be charged to each county tax collector failing or refusing to remit said funds within said period of 30 days. The exact amount of said interest charge shall be determined by the State Highway Department by a careful audit of the license fees received and disbursed by said tax collector pursuant to the laws relating to the registration and

transfer of vehicles; and the State of Texas shall have a valid claim against the county tax collector and his official bondsmen for the amount of such interest as determined by said audit. It is hereby expressly provided that no county tax collector shall maintain more than one office at which vehicles may be registered under the provisions of this Act; except in counties in which there is located a city (other than the city or town in which the county court house is located) having a population of 10,000 or more, the county tax collector of any such county may maintain one branch office for such purposes in said city.

Sec. 11. As compensation for his services under the provisions of this and other laws relating to the registration of vehicles and chauffeurs and the transfer of vehicles, each county tax collector shall receive a uniform fee of 50 cents for each of the first 1,000 receipts issued by him each year pursuant to said laws; he shall receive a uniform fee of 40 cents for each of the next 9,000 receipts so issued, a uniform fee of 30 cents for each of the next 15,000 receipts so issued and a uniform fee of 20 cents for each of the balance of said receipts so issued during the year. Said compensation shall be deducted weekly by each county tax collector from the gross collections made pursuant to this Act and other laws relating to the registration of vehicles and chauffeurs and the transfer of vehicles. Out of the compensation so allowed county tax collectors, it is hereby expressly provided and required that they shall pay the entire expense of issuing all license receipts and number plates and chauffeurs badges issued pursuant hereto, including the cost of labor performed in issuing said receipts, number plates and badges and the cost of postage used in mailing same to applicants. Provided, however, that the fees herein allowed the county tax collector after paying all necessary expenses shall be accounted for as fees of office and compensation he receives therefrom shall be governed accordingly.

Sec. 12. The Department shall issue, or cause to be issued, to the owner of each vehicle registered under the provisions of this Act, a license receipt which shall indicate

the date of its issuance, the license number assigned the registered vehicle, the name and address of the owner and such other information or statement of facts as may be determined by the Department. Said license receipt shall at all times be in possession of the operator of the vehicle for which it is issued and shall be subject to inspection by any peace officer or License and Weight Inspector of the State Highway Department. The failure or refusal of the operator of any vehicle to display for inspection said receipt to any peace officer or License and Weight Inspector requesting it for inspection shall be guilty of a misdemeanor, and upon conviction, shall be fined in any sum not exceeding Two Hundred Dollars.

Sec. (12A.) The owner of a vehicle, the license receipt for which has been lost or destroyed, may obtain a duplicate thereof, by filing with the State Highway Department or the county collector who issued the original receipt an affidavit that it has been lost or destroyed and by paying a fee of 25 cents for said duplicate.

Sec. (12B.) It shall be the duty of each tax collector before registering a rebuilt vehicle to require from the owner or applicant an affidavit stating that such vehicle is rebuilt and giving the names of the persons or firms from whom the parts used in assembling the vehicles were obtained.

Sec. 13. The Department shall issue or cause to be issued, one license number plate for each motorcycle, road tractor, trailer or semi-trailer, and two license number plates for any other vehicle registered under this Act. In case one number plate is assigned to a vehicle, it shall be attached thereto at the rear thereof; and in case two are assigned, one shall be attached at the front and one at the rear. Said plates shall be kept clearly visible and securely attached during the year for which they are issued. License number plates issued for vehicles required to be registered under the provisions of this Act shall not be attached thereto before the beginning of the calendar year for which they are issued.

Sec. (13a) The owner of a registered motor vehicle may obtain from the Department through the Coun-

ty Tax Collector replacement number plates for such vehicle by filing with said collector an affidavit showing that said number plate or plates have been lost, stolen or mutilated, and by paying a fee of one dollar for each set of plates issued. In case one or more plates are left in possession of such owner same shall be returned to the tax collector when making this affidavit. Said affidavit shall state that such plate or plates have been lost, stolen or mutilated and will not be used on any vehicle owned or operated by the person making this affidavit. No tax collector shall issue replacement plates without requiring compliance with the provisions of this section.

Sec. 14. Any person who operates a passenger car or a commercial motor vehicle or truck tractor upon the public highways of this State during the month of January of any calendar year, without having displayed thereon and attached thereto two license number plates, one plate at the front and one at the rear, which have been duly and lawfully assigned for said vehicle for the current or next preceding calendar year, shall be guilty of a misdemeanor.

(b) Any person who so operates a passenger car, or commercial motor vehicle or truck tractor during the period from February first to December thirty-first, inclusive, of any calendar year, without two such license plates for the current year so displayed and attached shall be guilty of a misdemeanor.

(c) Any person who operates a road tractor, motorcycle, trailer or semi-trailer upon the public highways of this State during the month of January of any calendar year, without having attached thereto and displayed at the rear thereof, a license number plate duly and lawfully assigned therefor for the current year or next preceding calendar year shall be guilty of a misdemeanor.

(d) Any person who operates a road tractor, motorcycle, trailer or semi-trailer during the period February first to December thirty-first, inclusive, of any calendar year, without having so displayed and attached a number plate duly and lawfully assigned therefor for the current calendar year shall be guilty of a misdemeanor.

Any person convicted of a misdemeanor for a violation of this Sec-

tion shall be fined in any sum not exceeding two hundred dollars.

(e) Any person operating an motor vehicle, trailer or semitrailer upon the highways on or after February first, of any calendar year with license plates for any preceding year attached or displayed shall be deemed guilty of a misdemeanor.

(f) Any person violating any provisions of this Act for the violation of such of which no other penalty is prescribed shall be deemed guilty of a misdemeanor, and on conviction, shall be fined in any sum not exceeding two hundred dollars.

Sec. 15. Provided further, that if the method of distributing between the State and the counties the funds collected under this Act shall be declared invalid because of inequality of collection or distribution of motor vehicle license fees, then said funds shall be distributed 60 per cent to the counties making the collections and 40 per cent to remitted to the State in the same manner as herein provided.

Sec. 16. Articles 6675, 6676, 6677, 6678, 6679, 6680, 6681, 6682, 6683, 6689, 6690, 6692, and 6693 of Chapter 1, Title 116, Revised Civil Statutes 1925, and Article 6688 as amended by Chapter 211 of the General and Special Laws of the Regular Session of the 40th Legislature; and Articles 6691 and 6697 of Chapter 1, Title 116, Revised Statutes 1925, as amended by Chapter 162, General and Special Laws of the Regular Session of the 40th Legislature, and Articles 807, 810, 818, 819 and 820 Article 825 of Chapter 1, of Title 13 of the Penal Code of Texas, 1925; and all other laws and parts in conflict with this Act are hereby repealed. Nothing in this Act shall require the payment of registration fees or the registration of tractors or graders or other machinery owned by cities or counties or the Federal Government and used on streets, alleys or roads.

Sec. 17. That Chapter 93, Acts of the Regular Session of the 40th Legislature, Article 7065, Revised Civil Statutes, 1925, be and the same is hereby amended so as to read hereafter as follows:

Article 7065 (7377) Tax on Gasoline. Every person selling at wholesale in intrastate commerce in this State any gasoline shall pay to the State of Texas an occupation tax

equal to four (4) cents per gallon, or fractional part thereof, so sold by such persons. Such tax shall be due and payable at the office of the Comptroller at Austin on the 25th day of each month, based on such sales made during the calendar month next preceding. Every such person so selling gasoline shall on or before the 25th day of each month make and deliver to the Comptroller a report sworn to as correct by such person before an officer authorized to administer oaths in this State (or, if other than an individual, so sworn to by its president, secretary, treasurer, or other duly authorized officers, or by its representative in charge of such intrastate sales of such gasoline), on such forms as said Comptroller shall prescribe of the total number of gallons of gasoline sold at wholesale in intrastate commerce in this State by such person during the next preceding calendar month. The term "selling at wholesale" or "sold at wholesale" or "Sales at wholesale" as used in this law shall include:

1. Any and all sales of gasoline in any quantity whatsoever in intrastate commerce in this State to the retailer to be sold by such retailer to the consumer in any quantity whatsoever.

2. Any and all sales to consumer in intrastate commerce in this State of gasoline refined, compounded, manufactured, blended or prepared in this State where such sales are made by the person so refining, compounding, manufacturing, blending, or preparing same whether such sales are made in such person's own name or in the name of another or in the name of a representative, agent or employee of such person.

3. Any and all sales in any quantity whatsoever to the consumer in an intrastate commerce in this State of gasoline brought into the State from outside the State, except that gasoline which is sold in intrastate commerce to the retailer for sale to the consumer, the selling of which latter mentioned is covered by subdivision 1 hereof.

Failure of the Comptroller to furnish any person affected by this law with a form for any report required to be made by such person shall not relieve such person of liability for penalties for failure to comply with this law as to any such report.

Every person required to pay said tax shall keep a complete record of all sales at wholesale made upon which the occupation tax herein levied is measured or computed, which record shall show the date of each such sale, the amount of same, to whom (except as to sales to the consumer) each such sale was made; from what place such gasoline was shipped and the name of the place of delivery of same. All of which records shall be open at all times to official inspection and examination of the Comptroller, or to the Attorney General, or any authorized employee or representative of such Comptroller or Attorney General. Any such person failing to keep such record or records as herein required shall forfeit to the State a penalty an amount not exceeding One Thousand (\$1,000.00) Dollars; and for each day such person fails to keep such record or records, a separate penalty shall accrue. Any person required to pay an occupation tax by this law failing to pay such tax on or before the date same is due and payable, shall pay to the State as a penalty an additional ten per cent of the amount of the tax due on said date and such tax and penalty shall draw interest at the rate of eight per cent per annum from due date until paid.

Any person required to make any report under this law failing to make the same in the manner or within the time prescribed by this law shall forfeit to the State a penalty of not to exceed One Thousand (\$1,000.00) Dollars. Such penalty shall draw eight per cent interest from due date until paid. The occupation taxes herein levied shall be placed in the State Treasury by the Comptroller as provided in this Law immediately upon the collection of same. One-fourth of such occupation tax shall go to the available free school fund and three-fourths of same shall be placed to the credit of the State Highway Fund for the construction and maintenance of the public highways of the State constituting a part of the State system of public highways as designated by the State Highway Commission, and said funds shall be set aside in a separate fund from the general revenue fund for the two purposes herein mentioned, and shall be subject to disbursement in accordance with the Statute con-

trolling the distribution of such available school fund and the State Highway Fund, respectively. The Attorney General shall bring suit in behalf of the State in any court of competent jurisdiction in Travis County to recover the amount of taxes, penalties and interest past due and payable by any person affected by this law. The word "gasoline" as used in this law includes gasoline or gasoline substitute, refined, compounded, manufactured, blended or prepared in whole or in part from any derivative fraction or product of petroleum or natural gas; and shall also include what is commercially known as gasoline so refined, compounded, manufactured, blended or prepared; and shall include all fuels ordinarily, practically and commercially unstable and combustible in internal combustion engines for the generation of power in propelling motor vehicles upon and over the highways of this State, howsoever and from whatsoever refined or blended. The word "person" as used in this law shall include persons, firms, partnerships, companies, corporations, associations, receivers, common law trusts, those operating under a declaration of trust, or other concern by whatsoever name known or howsoever organized, formed or created. It is the purpose and intent of this law to levy an occupation tax that will not operate to burden the industry with the tax every time any particular gasoline is sold, but to place the tax on only one transaction as to any particular gasoline, to the end that the tax will bear equally and uniformly on the gasoline industry. (Acts 3rd C. S. 1923, P. 158.)

Article 7065-A: "Selling at wholesale," "sold at wholesale," or "sales at wholesale," as used in this law, shall also include the use of gasoline in intrastate commerce in this State, upon which gasoline no tax has been paid, accrued or required to be paid upon the sale of the same in Sections 1, 2 or 3 of Article 7065, supra; and "distributor" as defined herein, shall mean every person who sells or uses gasoline in intrastate commerce in this State upon which a tax is required to be paid under the provisions hereof, and shall include the following persons:

1. Every person who makes any sale of gasoline in any quantity

whatsoever in intrastate commerce in this State to the retailer to be sold by such retailer to the consumer in any quantity whatsoever.

2. Every person who makes any sale to a consumer in intrastate commerce in this State of gasoline refined, compounded, manufactured, blended or prepared in this State where such sales are made by the person so refining, compounding, manufacturing, blending or preparing same whether such sales are made in such person's own name or in the name of another or in the name of a representative, agent or employee of such person.

3. Every person who makes any sales in any quantity whatsoever to the consumer in intrastate commerce in this State of gasoline brought into the State from outside the State except that gasoline which is sold in intrastate commerce to the retailer for sale to the consumer, the selling at which latter mentioned is covered by subdivision 1 hereof.

4. Every person who produces, refines, manufactures, blends or compounds gasoline within this State, and who uses the same without having sold the same upon which tax is due on such sale under Section 1, 2 and 3 above.

5. Every person who imports gasoline into this State, and who uses the same in intrastate commerce in this State, which such gasoline so used has not been sold and a tax having not accrued or being required to be paid under Section 1, 2 and 3 above.

6. All persons using gasoline in this State in intrastate commerce upon which such gasoline a tax has not been paid, accrued or required to be paid under the foregoing sections;

Provided that only a single tax shall be levied upon any one gallon of gasoline in this State, whether upon the sale or the use thereof, but not both, in intrastate commerce in this State, and provided that no tax shall be required to be paid on any gasoline upon which a tax has previously accrued under Article 7065 before the effective date hereof, and "sale," "sell" and "sold" as used herein, providing for the administration hereof and included in the general provisions hereof shall include the use of gasoline and permits issued shall authorize the use

as well as the sale, and reports shall be made on the use as well as the sale upon which a tax is imposed.

Provided that no tax shall be imposed on any gasoline the imposing of which would constitute an unlawful burden on interstate commerce, nor which is not subject to tax under the constitutions of the State of Texas and of the United States, nor gasoline sold to the Federal Government or any branch or agency thereof, the imposing of which would be obnoxious to the Federal Consti-

"Article 7065-B. All distributors of gasoline in this State now engaged in the sale of gasoline upon which such tax is required to be paid, shall, on or before the thirtieth day after the passage of this Act, and all persons engaging in the sale of gasoline as distributor thereafter, file a duly acknowledged application with the Comptroller of Public Accounts on a form prescribed by him, to be furnished upon written request of him, the failure to furnish which shall be no excuse for failure to file the same unless an absolute refusal is shown, which form shall set forth the name under which such distributor transacts or intends to sell gasoline as a distributor, the principal office, residence, place of business in Texas, and if other than an individual the principal officers or members thereof not to exceed three, and their office, street or post-office addresses, The Comptroller may require any other such information as he may desire in said application. No distributor shall, after above date, except herein provided, sell any gasoline until such application has been filed, together with bond and the obtaining of a permit. Provided that nothing in this Act shall be construed to require the filing of any application or securing of any permit where any sales are not subject to the tax.

"Article 7065-C". Upon receipt of the application and the bond hereinafter provided for the Comptroller shall issue to every distributor a permit authorizing the sale of gasoline in this State from the date of the issuance of said permit, until and including the following December 31st, and on or before January 1st of each year, and before any distributor shall engage in selling gasoline after January 1st, an application shall be filed and a permit ob-

tained for the calendar year, where such sale would subject to the tax. Said permit shall provide that the same is irrevocable and shall be suspended upon violation of any provisions of this Act or any reasonable rule or regulation adopted by the Comptroller, and if such permit is revoked or suspended said distributor shall not sell any gasoline until a new permit is granted or the suspension of the old permit removed.

"Article 7065-D. If any distributor has violated any provision of this Act, or any regulation adopted hereunder, and the Comptroller of Public Accounts desires to forfeit or suspend his permit, he shall give notice by registered mail, deposited in the United States mails, stating the reasons justifying forfeiture or suspension of such permit, and that the same shall be forfeited fifteen days from said date unless said distributor purge himself of such violation and pay any penalties that may be due. Provided, that if the Comptroller of Public Accounts illegally attempts to revoke or suspend said permit, said distributor, by giving at least two days notice to the Comptroller, may file a suit in equity in any court of Travis County having jurisdiction to enjoin the Comptroller's act and at any time after the expiration of said period the Comptroller may suspended or forfeit said permit unless enjoined. Any notice required to be given by the Comptroller may be mailed to the distributor at any place disclosed by the application required in Article 7065-B hereof.

"Article 7065-E. Before any permit shall be issued, as provided for herein, and before engaging in the sale of gasoline in Texas, every distributor shall execute and file with the Comptroller a good and sufficient surety bond, signed by said distributor, and a good and sufficient surety company or companies authorized to do business in this State, shall be approved by the Comptroller in an amount not less than Ten Thousand (\$10,000.00) Dollars, and which bond or bonds in no event shall exceed One Hundred Thousand (\$100,000.00) Dollars, payable to the State of Texas, and conditioned for the full, complete, and faithful performance of all of the conditions and requirements of this Act, on a form to be prescribed by the Comp-

troller with the approval of the Attorney General, expressly providing for the payment of all taxes, costs, penalties, and interests at Austin, Texas. The amount of the bond required of any distributor shall be fixed by the Comptroller, and additional bond may be required by him at any time subject to the limitation herein provided, but the distributor may demand a reduction of his bond after six months from the effective date hereof in a sum to be not more than three times the highest tax said distributor has paid for any month during the preceding six months, but which shall never be less than Ten Thousand (\$10,000.00) Dollars. Provided, further, that no distributor shall be required to give more than the minimum bond the first month this Act becomes effective or the month he shall first engage in business as a distributor, but thereafter the Comptroller may demand additional bond. No recoveries on any bond, or execution of any new bond or renewal of a permit shall invalidate any bond. A new bond may be demanded when any new permit is issued or revived, but no revocation or revival shall affect the validity of any bond.

"Article 7065-F. All taxes, fines, penalties and interest due by any distributor to the State shall be a preferred lien upon all of the property of any distributor devoted to or used by him as distributor, not exempt under the Constitution, and if any distributor shall fail to remit proper taxes due, the Comptroller may employ auditors or other persons to ascertain the correct amount due, and if such taxes have not been properly remitted the distributor shall pay the reasonable expenses incurred in such investigation and audit an additional penalty.

"Article 7065-G. Whoever, as distributor, shall sell or use any gasoline or gasoline substitute upon which a tax is required to be paid by this Act without having first obtained and at the time having a valid permit as required by this Act, or whoever shall sell or use any gasoline or gasoline substitute in this State as agent, employee, or representative of a distributor upon which a tax is imposed by this Act, knowing that such distributor has not obtained a permit as required by this Act, or that said distributor does not

at the time have a valid permit, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not less than One Hundred (\$100.00) Dollars nor more than Five Thousand (\$5,000.00) Dollars, or be confined in the county jail not more than six months or both such fine and imprisonment.

Article 7065-H. Every distributor required to obtain a permit under the provisions of this Act shall keep a complete record of all crude oil and other oil or products from which such distributor may refine or blend any gasoline that is sold by him upon which the tax is due, and shall keep numbered sales tickets upon every sale upon which a tax is due under the provisions of this Act where such sales are in quantities of over twenty-five gallons, which tickets shall be numbered consecutively, shall show the quantity sold, the purchaser and address, the date and means of delivery, and shall be preserved, and a complete record of all gasoline received and distributed by every distributor in this State, whether a tax is required to be paid upon the same or not, shall be kept, except gasoline sold in interstate commerce or for export. The Comptroller is authorized to adopt such rules and regulations requiring the keeping of such records as he may deem advisable to aid him in the enforcement of the provisions of this Act. Provided however, that where sales are made direct to the consumer, the distributor need not make sales tickets, but each day shall make an accurate record of the gasoline received at the point of dispensation, the amount sold to consumers direct, or used otherwise. This article is cumulative of Article 7065.

Article 7065-I. If any person shall willfully or knowingly destroy, mutilate or secrete any of the records required to be kept by the provisions of this Act, or shall refuse to allow the Comptroller or his representatives or the Attorney General or his representatives to examine the same, he shall be guilty of a misdemeanor, and shall be fined in a sum of not less than One Hundred (\$100.00) Dollars nor more than Five Thousand (\$5,000.00) Dollars, or be confined in the county jail not more than six months, or both such fine and imprisonment.

Article 7065-J. If any distributor shall (a) sell any gasoline or gasoline substitute upon which a tax is required to be paid without first having obtained, or at the time having a valid permit, or (b) fail to keep any of the records required to be kept by Article 7065h, or violate any provision thereof, or (c) fail to make the report required by Article 7065, or (d) fail to make the remittance, together with the report as required by Article 7065, or (e) refuse to permit the Comptroller, or his agents, to examine the books, records, or papers required to be kept by this Act, or violate any of the other provisions of this Act, or any rule or regulation adopted by the Comptroller, shall forfeit to the State as a penalty the sum of One Thousand (\$1,000.00) Dollars, and each day's violation shall constitute a separate offense and incur another penalty, which if not paid shall be recovered in a suit by the Attorney General in a court of competent jurisdiction in Travis County, or any other court having jurisdiction, together with interest at the legal rate.

Article 7065-K. Whoever shall, as agent or representative of a distributor, knowingly make any false entry or fails to make entries in the books required to be kept by this Act with intent to defraud the State, or whoever as such shall knowingly make a false or incomplete return as required to be made to the Comptroller of Public Accounts under this Act, shall be guilty of a misdemeanor and upon conviction therefor shall be fined in a sum not less than One Hundred (\$100.00) Dollars nor more than Five Thousand (\$5,000.00) Dollars, or to be confined in the county jail not more than six months, or by both such fine and imprisonment.

Article 7065-L. (a) Every common carrier in this State having the custody of books and records showing the transportation of gasoline in this State, shall give and permit the Comptroller or his representatives free access to such books and records.

(b) All persons operating railroads, trucks, pipe lines and other conveyances as common carriers in the transportation of gasoline into this State, and every such common carrier transporting gasoline from the point where it is manufactured,

refined, and blended in this State, shall render a sworn report to the Comptroller not later than the 25th of each month, showing a description of the tank, car, truck or other conveyance in which the same was transported on such forms as shall be prescribed by the Comptroller, which was transported by such persons during the preceding month; provided, that no report be made by any such persons transporting gasoline in containers of capacity less than twenty (20) gallons. Such report shall show the points of origin and destination, the number of gallons shipped, the date, the consignee and the consignor and the kind of gasoline.

(c) Any person violating any provision of this Section shall be liable for the penalty prescribed in Article 7065-I. Provided, no report or information is required herein, the requiring of which would be a violation of the Laws and Constitution of the United States or Texas, or an unlawful burden on interstate or foreign commerce.

Article 7065-M. Every distributor at the time of making the report required by Article 7065, shall attach legal tender or make proper form of money order or exchange thereto payable to the State Treasurer in the amount of tax for the period covered by such report, provided, however, that in computing the tax a deduction of one per cent of the quantity of motor fuels reported shall be allowed for evaporation and loss, which shall be deducted from the amount of the tax remitted.

Article 7065-N. That every distributor of highway motor fuels in the State of Texas, engaged in selling, distributing, and/or using highway motor fuel shall, before selling, distributing, and/or using motor fuels, color, or cause to be colored purple, all such highway motor fuels to be sold, distributed to, and/or used by the United States Government, or any official agency or instrumentality thereof for consumption or use by such Government, in such manner as the same is not subject to such tax; or to be sold, distributed to and/or used only for the purpose of operating or propelling machinery or devices for those engaged in mechanical pursuits; or for the purpose of operating or propelling stationary engines, fire depart-

ment apparatus not used on the highways of this State; motorboat or marine engines, aircraft; for cleaning and dyeing purposes other than in motor vehicles; police patrol wagons and ambulances owned by municipalities not used on the highways of this State; and agricultural tractors and combines used for strictly agricultural purposes and not used on the public highways; and no purple colored motor fuels shall be sold, distributed for and/or used in any vehicle propelled by internal combustion engines, electricity, or steam, upon, or over the highways of this State, or capable of use thereof, and all other motor vehicles capable of such use, other than those herein specifically permitted to use purple colored motor fuels. Every application to purchase purple colored fuel shall be accompanied by affidavit showing the intended use thereof, to be for a purpose exempting same from the payment of the tax herein fixed, and if such motor fuel be used for a purpose other than that exempting such motor fuel from said tax, such improper use shall constitute a misdemeanor and if said purple motor fuel be mixed with some other liquid or coloring so as to destroy or disguise its original purple color such mixing or adulteration shall constitute a misdemeanor and the person guilty of such improper use or mixing or adulteration shall be fined not less than One Hundred (\$100.00) Dollars, nor more than One Thousand (\$1,000.00) Dollars, and the making of such false affidavit shall constitute false swearing, as defined by Article 310 of the 1925 Penal Code of Texas, and the person making such false affidavit shall be punished as is provided in said Article 310 of said 1925 Penal Code of Texas.

The terms "highway motor fuel," "gasoline," "purple motor fuel," or "purple colored motor fuel" shall include all fuels ordinarily, practically, and commercially usable and combustible in internal combustion engines for the generation of power in propelling motor vehicles upon and over the highways of this State, and shall include all distillates of and condensates from petroleum, natural gas, coal, coal tar and vegetable ferments, except that is commonly known as fuel and crude oil, and

except kerosene having a minimum of 110 degs. Fahrenheit Flash Test, when tested in the manner fixed or prescribed, or that may be hereafter prescribed by the United States Bureau of Mines; said distillates and condensates being ordinarily designated as gasoline, liberty fuel, naptha, benzol, benzine, alcohols, and other volatile and inflammable liquids so usable.

The term "Highway" shall include any road, street, way, thoroughfare or bridge in this State not privately owned or controlled, for the use of vehicles over which the State has legislative jurisdiction under its police power.

The term "motor vehicle" shall include all vehicles propelled by internal combustion engines, electricity, or steam, upon or over the highways of the State of Texas, or capable of use thereon.

Article 7065-O. Whoever wilfully or knowingly makes any false statement in any claim made or filed under the provisions of this Act as to any material fact required to be given by this Act shall be guilty of a misdemeanor, and shall be punishable by a fine of not less than Two Hundred (\$200.00) Dollars, nor more than Two Thousand (\$2,000.00) Dollars, or by imprisonment in the county jail for not less than thirty (30) days nor more than one (1) year, or both such fine and imprisonment.

Sec. 18. No permit shall be required of any distributor under the provisions of this Act until, as hereinbefore provided, thirty (30) days from the taxing effect hereof. Immediately upon the taking effect of this Act the tax herein imposed shall be levied and collected on the sale, as defined herein, of gasoline. A report shall be made under Article 7065 of all sales of gasoline up to the taking effect of this Act, and all sales, as defined herein, thereafter shall be reported as provided herein. All taxes imposed under Article 7065 heretofore, and having accrued, and that have not been paid, shall be in no wise affected by this Act, but all such taxes, penalties, and interests shall be paid, and all suits to collect the same shall be prosecuted.

Sections 1 to 16 of this Act shall take effect and be in force from and after January 1st, A. D. 1930, and

the remainder shall take effect and be in force from and after its passage.

Sec. 19. The provisions of this Act are severable, and if any of the provisions hereof shall be held void the decision of the court shall not affect or impair any of the remaining provisions, and it is hereby declared as the legislative intent that this Act would have been adopted, increasing the tax from two (2) cents to four (4) cents without the levying of a tax on the use, and without the exemption clause, should either be held invalid, and that such tax would have been levied on the use without the exemption provided for herein, and should any of the objects be held not subject to such tax the remaining objects and subjects would have been included, and the tax would have been increased and levied upon those objects without inclusion of the other.

Sec. 20. The fact that the present occupation tax on gasoline does not provide all the means for its economical and efficient enforcement, that such law is not equal and uniform and does not evenly distribute the burdens of taxation, that said tax is inadequate, and that the State is losing many hundreds of thousands of dollars because of the inability to enforce the Act on account of its lax provisions, create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three separate days in each House be suspended and the same is hereby suspended and that this Act take effect and be in force from and after its passage, and it is so enacted.

Senator Greer moved to recess until 10:00 o'clock tomorrow morning. The motion was lost by the following vote:

Yeas—10.

Cousins.	Russek.
Greer.	Stevenson.
Holbrook.	Westbrook.
Miller.	Wirtz.
Parr.	Witt.

Nays—16.

Beck.	Moore.
Berkeley.	Neal.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Small.
Hardin.	Thomason.
Hornsby.	Williamson.
Love.	Woodward.

Absent.

Hyer.	Parrish.
Martin.	Woodul.
McFarlane.	

Senator Miller called for a full reading of the substitute.

The Secretary began to read.

Senator Woodward moved that the further reading of the substitute be dispensed with. The motion was lost by the following vote:

Yeas—18.

Beck.	Neal.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Love.	Westbrook.
McFarlane.	Williamson.
Moore.	Woodward.

Nays—8.

Cousins.	Parr.
Holbrook.	Wirtz.
Hornsby.	Witt.
Miller.	Woodul.

Absent.

Berkeley.	Parrish.
Hyer.	Russek.
Martin.	

(Four-fifths vote required.)

Senator Greer moved to recess until 10:00 o'clock tomorrow morning. The motion was lost by the following vote:

Yeas—12.

Berkeley.	Pollard.
Cousins.	Stevenson.
Greer.	Westbrook.
Holbrook.	Wirtz.
Miller.	Witt.
Parr.	Woodul.

Nays—15.

Beck.	Moore.
Cunningham.	Neal.
DeBerry.	Patton.
Gainer.	Small.
Hardin.	Thomason.
Hornsby.	Williamson.
Love.	Woodward.
McFarlane.	

Absent.

Hyer.	Parrish.
Martin.	Russek.

Senator Witt moved to adjourn until 10:00 o'clock tomorrow morning. The motion was lost by the following vote:

Yeas—10.

Cousins.	Holbrook.
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Miller.	Westbrook.
Parr.	Wirtz.
Russek.	Witt.
Stevenson.	Woodul.

Nays—16.

Beck.	McFarlane.
Berkeley.	Moore.
Cunningham.	Neal.
DeBerry.	Patton.
Gainer.	Small.
Hardin.	Thomason.
Hornsby.	Williamson.
Love.	Woodward.

Absent.

Greer.	Parrish.
Hyer.	Pollard.
Martin.	

Senator Love raised the point of order that the substitute could not be ordered read because it was an amendment and not a bill.

The Chair overruled the point of order.

Senator Witt moved to adjourn until 9:45 o'clock tomorrow morning.

Senator Small raised the point of order that no business had been transacted since the last motion to adjourn. The Chair sustained the point of order.

Messages From the House.

The Chair recognized the Doorkeeper, who introduced a messenger from the House with the following messages:

Hall of the House of Representatives,
Austin, Texas, June 28, 1929.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 10, A bill to be entitled "An Act to provide that the Highway Department may issue a permit upon the application of any person, firm or corporation to operate over a State Highway super-heavy or over-size equipment for the transportation of such commodities as cannot be reasonably dismantled, where the gross weight or size exceeds the limits allowed by law, providing for the form of an application for a permit, providing for the filing of a bond for damage that might occur to the highway, providing for a fee to be filed with each bond, providing venue for suits of such bonds, and providing a form of permit, and declaring an emergency."

With amendments as substituted.
S. B. No. 130, A bill to be entitled "An Act making appropriations out of the State Highway Fund to pay claims of certain persons, firms and corporations for money erroneously paid to the State Highway Fund for license fees on seating capacity of motor vehicles as provided by Article 820 of the Penal Code of Texas; etc., and declaring an emergency."

With amendments.

H. B. No. 140, A bill to be entitled "An Act to authorize the Commissioner of Agriculture to establish, maintain and enforce quarantine regulations to protect the agricultural and horticultural interests of this State against the importation of dangerous insect pests and plant diseases from other States, and to protect any portions of this State against insect pests and plant diseases from other parts or sections of the State, etc."

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Free Conference Granted.

The Senate voted to grant the request of the House for a Free Conference Committee on H. B. No. 163.

The Chair appointed the following on the part of the Senate:

Senators Stevenson, Thomason, Berkeley, Patton, and Beck.

Free Conference Requested.

Senator Williamson moved that the Senate refuse to concur in the House amendments to S. B. No. 10 and ask for a Free Conference Committee. The motion prevailed.

The Chair appointed the following on the part of the Senate:

Senators Witt, Williamson, Miller, Neal, and Woodward.

House Bill Referred.

H. B. No. 140 referred to Committee on Agriculture.

Bills Signed.

The Chair, Lieutenant Governor Barry Miller, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

H. B. No. 1.

H. C. R. No. 1.

Message From the Governor.

The Chair recognized the Doorkeeper, who introduced a messenger from the Governor with the following message:

Executive Department,
Austin, Texas, June 28, 1929.
To the Honorable Senate of Texas:

With your advice and consent I desire to appoint the following named persons, who have served as Deputy Pilots for the past year, and who have been recommended by the Sabine Pass Pilot Commission, to be Sabine Pass Branch Pilots:

Capt. F. D. French, Port Arthur;
Capt. G. H. McFarland, Port Arthur;
Capt. C. F. Petersen, Port Arthur;
Capt. V. R. Westbrook, Port Arthur.

Respectfully submitted,

(Signed) DAN MOODY.

Read and referred to Committee on Governor's Nominations.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, June 28, 1929.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 62, A bill to be entitled "An Act limiting the amount of white perch, crappie or bass that may lawfully be taken in one day from the public fresh waters of Denton County, Texas, prescribing penalties for violating this Act; and declaring an emergency."

S. B. No. 64, A bill to be entitled "An Act to create Road District No. 1 in Lavaca County, Texas; etc., and declaring an emergency."

S. B. No. 148, A bill to be entitled "An Act extending outstanding State oil and gas permits and leases; etc., and declaring an emergency."

S. B. No. 175, A bill to be entitled "An Act to provide for the extension of the term of oil and gas leases No. 9716 covering survey No. 8, No. 9717 covering survey No. 17, No. 9726 covering survey No. 29, No. 9718, covering survey No. 20, in so far as said lease shall apply to and affect the east half of said survey; etc., and declaring an emergency."

S. B. No. 197, A bill to be entitled "An Act to authorize the Commissioner of the General Land Office of the State of Texas to issue an oil and gas lease to M. M. Holden, etc., and declaring an emergency."

S. B. No. 141, A bill to be entitled "An Act fixing an open season or period of time for hunting, taking or killing wild mourning doves in Archer, Baylor, Clay, Knox, Wichita

or Young counties, and making it unlawful to hunt, take or kill same at any other time of the year; etc., and declaring an emergency."

With amendment.

S. B. No. 133, A bill to be entitled "An Act fixing the compensation of district attorneys in each judicial district in this State containing five or more counties having a combined population, according to the 14th census of the United States of the year 1920, of not less than 98,740, nor in excess of 98,750; etc., and declaring an emergency."

S. B. No. 144, A bill to be entitled "An Act regulating fishing and the taking of fish and shrimp in certain coastal waters; enacting prohibitions and penalties in connection therewith; and declaring an emergency."

S. B. No. 86, A bill to be entitled "An Act fixing the salary of county commissioners in each county having a population of not less than 53,000 and not more than 53,750 according to the latest United States Census; etc., and declaring an emergency."

With amendments.

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

House Bill No. 6.

The question recurred upon the reading of H. B. No. 6.

Senator Witt raised the point of order that no quorum was present. The roll call showed the following present:

Beck.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Small.
Galner.	Stevenson.
Hardin.	Thomason.
Hornsby.	Westbrook.
Love.	Williamson.
McFarlane.	Wirtz.
Miller.	Witt.
Moore.	Woodul.
Neal.	Woodward.
Parr.	

Absent.

Berkeley.	Hyer.
Greer.	Martin.
Holbrook.	Russek.

Senator Witt moved that the Senate recess until 9:00 o'clock tomorrow.

row morning. The motion was lost by the following vote:

Yeas—9.

Cousins.	Westbrook.
Miller.	Wirtz.
Parr.	Witt.
Russek.	Woodul.
Stevenson.	

Nays—16.

Beck.	Moore.
Berkeley.	Neal.
Cunningham.	Parrish.
DeBerry.	Pollard.
Gainer.	Small.
Hornsby.	Thomason.
Love.	Williamson.
McFarlane.	Woodward.

Absent.

Greer.	Hyer.
Hardin.	Martin.
Holbrook.	

Free Conferences Requested.

Senator McFarlane moved to refuse to concur in House amendments to S. B. No. 141 and ask for a Conference Committee. The motion prevailed.

The Chair appointed the following on the part of the Senate:

Senators McFarlane, Woodward, Witt, Gainer, and DeBerry.

Senator Pollard moved to refuse to concur in the House amendment to S. B. No. 130 and ask for a Conference Committee. The motion prevailed.

The Chair appointed Senators Pollard, Love, Williamson, Russek, and DeBerry on the part of the Senate.

Motion to Recess.

Senator Wirtz moved to recess until 8:30 o'clock tonight.

Senator Russek moved to recess until 9:30 o'clock tomorrow morning. The motion was lost by the following vote:

Yeas—9.

Cousins.	Woodul.
Holbrook.	Patton.
Miller.	Stevenson.
Parr.	Westbrook.
Russek.	Wirtz.

Nays—18.

Beck.	Gainer.
Berkeley.	Hardin.
Cunningham.	Hornsby.
DeBerry.	Love.

McFarlane.	Pollard.
Moore.	Small.
Neal.	Thomason.
Parrish.	Williamson.
Patton.	Woodward.

Absent.

Greer.	Martin.
Hyer.	Witt.

The motion to recess until 8:30 o'clock tonight was lost by the following vote:

Yeas—10.

Beck.	Russek.
Cousins.	Stevenson.
Holbrook.	Westbrook.
Miller.	Wirtz.
Parr.	Woodul.

Nays—17.

Berkeley.	Neal.
Cunningham.	Parrish.
DeBerry.	Patton.
Gainer.	Pollard.
Hardin.	Small.
Hornsby.	Thomason.
Love.	Williamson.
McFarlane.	Woodward.
Moore.	

Absent.

Greer.	Martin.
Hyer.	Witt.

House Bill No. 6.

The question recurred upon the reading of H. B. No. 6.

Senator Witt moved to substitute the committee substitute for the Williamson amendment.

Senator Pollard moved the previous question on the motion. The previous question was ordered by the following vote:

Yeas—19.

Beck.	Moore.
Berkeley.	Neal.
Cunningham.	Parrish.
DeBerry.	Patton.
Gainer.	Pollard.
Hardin.	Small.
Holbrook.	Thomason.
Hornsby.	Williamson.
Love.	Woodward.
McFarlane.	

Nays—6.

Cousins.	Russek.
Miller.	Wirtz.
Parr.	Woodul.

Absent.

Greer.	Stevenson.
Hyer.	Westbrook.
Martin.	Witt.

Senator Moore raised the point of order that no quorum was present. The roll call showed the following present:

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Small.
Hardin.	Thomason.
Holbrook.	Williamson.
Hornsby.	Wirtz.
Love.	Woodul.
McFarlane.	Woodward.
Moore.	

Absent.

Greer.	Russek.
Hyer.	Stevenson.
Martin.	Westbrook.
Miller.	Witt.

The motion to substitute the committee substitute for the Williamson amendment was lost by the following vote:

Yeas—8.

Beck.	Miller.
Cousins.	Patton.
Holbrook.	Russek.
Hornsby.	Woodul.

Nays—15.

Berkeley.	Neal.
Cunningham.	Parrish.
DeBerry.	Pollard.
Gainer.	Small.
Hardin.	Thomason.
Love.	Williamson.
McFarlane.	Woodward.
Moore.	

Absent.

Martin.	Westbrook.
Stevenson.	Witt.

(Pairs Recorded.)

Senator Parr (present), who would vote yea with Senator Greer (absent), who would vote nay.

Senator Wirtz (present), who would vote yea with Senator Hyer (absent), who would vote nay.

Senator Holbrook moved to recess until 8:30 o'clock tonight. The motion was lost.

The amendment was adopted by the following vote:

Yeas—15.

Berkeley.	Neal.
Cunningham.	Parrish.
DeBerry.	Pollard.
Gainer.	Russek.
Hardin.	Small.
Love.	Williamson.
McFarlane.	Woodward.
Moore.	

Nays—10.

Beck.	Parr.
Cousins.	Patton.
Holbrook.	Thomason.
Hornsby.	Wirtz.
Miller.	Woodul.

Absent.

Greer.	Stevenson.
Hyer.	Westbrook.
Martin.	Witt.

Bills Signed.

The Chair, Lieutenant Governor Barry Miller, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

S. B. No. 197.	S. B. No. 62.
S. B. No. 64.	S. B. No. 148.
S. B. No. 133.	S. B. No. 175.

Motion to Concur.

On motion of Senator Hornsby, the Senate concurred in the House amendment to S. B. No. 86 by the following vote:

Yeas—26.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Love.	Williamson.
McFarlane.	Wirtz.
Miller.	Woodul.
Moore.	Woodward.

Absent—Excused.

Greer.	Westbrook.
Hyer.	Witt.
Martin.	

Recess.

On motion of Senator DeBerry, the Senate, at 7:15 o'clock p. m., recessed until 10:00 o'clock tomorrow morning.

APPENDIX.**Petitions and Memorials.**

United States Senate
Committee on
Irrigation and Reclamation
June 24, 1929.

Hon. Bob Barker, Secretary of the Senate, Austin, Texas.

My dear sir and friend:

I write to acknowledge receipt of your letter of June 20 transmitting copies of Senate Concurrent Resolution No. 9 endorsing Hon. Eugene Black for appointment to the Farm Board.

The Texas delegation recently called on President Hoover and urged the appointment of Mr. Black to the Farm Board.

With all good wishes, I am,

Yours very sincerely,

MORRIS SHEPPARD.

P. S. I shall be glad to call Mr. Hoover's attention to this resolution.

(TELEGRAM)

Eastland, Texas, June 28, 1929.

Lieutenant Governor Barry Miller, or Texas Senate, Austin, Texas.

Directors Texas Farm Bureau Federation in session El Paso June 26 and 27 considered status gasoline tax legislation indicated in press reports and by unanimous vote adopted resolution respectfully requesting and urging your honorable body pass this session bill as passed by House embodying the Tarwater exemption amendment.

H. G. Lucas, Brown County, president; J. E. Montgomery, Bee, vice president; L. R. Campbell, Dallas, secretary; W. O. Alford, Rusk; E. M. Cooke, Williamson; M. O. Cumbie, Erath; Frank P. Frist, El Paso; T. W. Hander, Bell; G. W. Holloway, Grayson; Mrs. M. S. Hudson, Hale; C. W. Loe, Baylor; C. F. McCormick, Coleman; Fayette Mitchell, Robertson County; W. F. Mottier, Wharton; L. W. Pace, Harrison; Joe A. Parrish, Polk; F. L. Rutledge, Franklin; Carl Stiles, Ellis; George B. Warren, Cameron;

D. Y. Aillbern, Karnes; C. W. Williamson, Ft. Bend; Lynn Stokes, Runnels; L. Gough, Deaf Smith; Fritz Engelhard, Colorado; joined by county delegates Walter G. Burks-holder, Ward; M. S. Hudson, Hale; C. T. Pendergrass, Terry; Martin Wilbeck, Wharton; S. W. Yeury, Grayson, and Porcher, El Paso.

Committee on Engrossed Bills.

Committee Room,
Austin, Texas, June 28, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 53 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, June 28, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 199 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, June 28, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 34 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, June 28, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 195 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, June 28, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 74 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee on Enrolled Bills.

Committee Room,
Austin, Texas, June 28, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 153 carefully examined and compared and find the same correctly enrolled, and have this day at 4:10 o'clock p. m., presented the same to the Governor for his approval.

WITT, Chairman.

Committee Room,
Austin, Texas, June 28, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 21 carefully examined and compared and find the same correctly enrolled, and have this day at 4:10 o'clock p. m., presented the same to the Governor for his approval.

WITT, Chairman.

Committee Room,
Austin, Texas, June 28, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 121 carefully examined and compared and find the same correctly enrolled, and have this day at 4:10 o'clock p. m., presented the same to the Governor for his approval.

WITT, Chairman.

Committee Room,
Austin, Texas, June 28, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 16 carefully examined and compared and find the same correctly enrolled, and have this day at 4:10 o'clock p. m., presented the same to the Governor for his approval.

WITT, Chairman.

Committee Room,
Austin, Texas, June 28, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 15 carefully examined and compared and find the same correctly enrolled, and have this day at 4:10 o'clock p. m., presented the same to the Governor for his approval.

WITT, Chairman.

Committee Room,
Austin, Texas, June 28, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 19 carefully examined and compared and find the same correctly enrolled, and have this day at 4:10 o'clock p. m., presented the same to the Governor for his approval.

WITT, Chairman.

Committee Room,
Austin, Texas, June 28, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 169 carefully examined and compared and find the same correctly enrolled, and have this day at 4:45 o'clock p. m., presented the same to the Governor for his approval.

WITT, Chairman.

Committee Room,
Austin, Texas, June 28, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 9 carefully examined and compared and find the same correctly enrolled, and have this day at 4:45 o'clock p. m., presented the same to the Governor for his approval.

WITT, Chairman.

Statement by Chairman of Finance Committee.

Upon the suggestion of the President of the Senate, the following statement by Senator Pollard, Chairman of the Senate Finance Committee, was ordered printed in the Journal:

The net amount of ad valorem taxes collected for the year ending August 31, 1928, after deducting all assessing and collecting fees was \$8,888,903.30. This amount was collected on an ad valorem tax rate of 25 cents on the one hundred dollars valuation. The average increase in valuation in Texas for many years, and the increase in valuation used as a basis for setting the tax rate by the Automatic Tax Board of Texas, is four per cent per annum. The amount of taxes collected on the basis of 1 cent on the one hundred dollars valuation for the year ending August 31, 1928, was \$355,-

556.00. At a thirty-five cent tax rate on the one hundred dollars valuation, there would have been collected and deposited in the State Treasury \$12,444,463.85.

The correct way of ascertaining the collections for the year ending August 31, 1929, would be to take the collection of \$12,444,463.85 collected for the year ending August 31, 1928, and add to this amount the sum of \$497,773.55, representing the 4 per cent increase by reason of increased valuation, making a total

amount of ad valorem taxes which would be collected under a 35 cent tax rate for the year ending August 31, 1929, of \$12,842,232.40. Therefore, had the tax rate for the biennium ending August 31, 1929, been 35 cents, the State would have collected for the two years on ad valorem taxes alone a total of \$25,386,706.25. During the year ending August 31, 1929, the following additional taxes were collected by the State of Texas, which went into the general revenue fund:

1/3 Poll tax	\$ 579,403.45
3/4 Occupation tax	229,907.97
Inheritance Tax	978,937.34
Redemptions Collected	686,793.81
Insolvents and supplements collected	306,646.59
Penalty and Interest	31,577.32
Gross Receipts	4,563,072.82
Secretary of State	2,012,886.50
Refund to Appropriations	239,168.75
Attorney General	87,051.58
Comptroller's Miscellaneous Collections	68,612.13
Banking Department	132,762.20
Insurance Department, Occupation	1,731,731.54
Railroad Commission	93.65
Board of Water Engineers	13,446.79
General Land Office	45,752.02
Board of Control	3,046.42
Court of Civil Appeals	34,546.00
Supreme Court	5,125.08
State Librarian	73.98
Commission of Agriculture	15,887.37
Miscellaneous Deposits to Revenue	7,173.18
Interest State Deposits	103,460.19
Assessment Fire Insurance Companies	222,780.56
Assessment Workmens Insurance Companies	73,505.06
State Prison System	1,166,807.52
Game, Fish & Oyster Commission	37.90
Gas Utilities	85.84
Industrial Accident Board	2,693.08
Commission of Fire Insurance	2,219.08
Commission of Life Insurance	46,783.20
Commission of Casualty Insurance	561.50
Comptroller's Special Audit	2,722.93
Oil Royalties	596,232.07
Transfers:	
Special Letter, Available Deaf & Dumb Fund	7,184.49
Special Letter, Available Blind Institute	7,982.92
Total	\$14,009,752.83

Allowing a four per cent increase on this amount, which would be \$560,390.11, the Treasury would receive for the year ending August 31, 1929, the sum of \$14,570,142.94, making a total from other sources of revenue of \$28,579,895.77.

If the tax rate for the biennium ending August 31, 1929, had been 35 cents, the State would have

received \$25,386,706.25 as above stated from ad valorem taxes. Adding to this sum the \$28,579,895.77 above referred to which will actually be received by the State Treasury, would give a total net revenue to the State of Texas, based upon a 35 cent tax rate for the biennium ending August 31, 1929, of \$53,966,602.02. The estimate furnished by

the Comptroller's Department showed an estimated income for the biennium ending August 31, 1931, of \$49,785,986.82, based upon a 35 cent tax rate, which amount is \$4,180,715.20, less than the actual amount which would have been collected and paid into the State Treasury for the biennium ending August 31, 1929, based upon a 35 cent ad valorem tax rate on the one hundred dollars valuation.

Mr. Hardiman, Statistician for the Comptroller's Department, in estimating the income for the biennium ending August 31, 1931, followed the law in arriving at the estimated income, which provides that 20 per cent of the total valuation shall be

discounted for assessing and collecting taxes and for delinquent taxes uncollected. Therefore, it will be seen from the following statement furnished by the Comptroller's Department that no accounting is made for delinquent taxes collected, whereas, during the year ending March 31, 1928, the sum of \$2,189,550.68 was collected, according to page 126, of the Annual Report of the Comptroller of Texas. It is believed by those in authority that more than the above amount of delinquent taxes will be collected for the next two fiscal years. The estimate above referred to, furnished by the Comptroller's Department, is as follows:

Tax Valuations for the year 1929	\$3,961,426,097.00	
Estimated increase in valuations for the year 1930	61,467,320.00	
Total valuations for 1930	\$4,022,893,417.00	\$4,022,893,417.00
Estimated increase in valuations for the year 1931	61,467,320.00	
Total valuation for 1931	\$4,084,360,737.00	\$4,084,360,737.00
Total valuation for the biennium	\$8,107,254,154.00	
Less valuations that are remitted to the various counties	698,075,244.00	
	\$7,409,178,910.00	
Less 20 % for assessing, collecting and delinquents	1,481,835,782.00	
	\$5,927,343,128.00	
		30
A 35c tax rate will produce	\$	20,745,700.94
Receipts for sources other than ad valorem taxes as based on the preceding years		22,019,505.66
Add 4 % increase on receipts from sources other than taxation as a basis of previous increases		1,020,780.22
Total estimated income for the biennium ending August 31, 1931	\$	49,785,986.82

The tax rate as set by the Automatic Tax Board for the year ending August 31, 1929, is 22 cents on the one hundred dollars valuation. One cent on the one hundred dollars valuation for the year ending August 31, 1928, brought in a net revenue of \$355,556.11. A 4 per cent increase in valuation would increase the amount \$14,222.24, making a total of expected net revenue to the State of Texas at one cent on the one hundred dollars valuation of \$369,778.35. At 22 cents on the one hundred dollars valuation for the year ending August 31, 1929, the State Treasury should receive a net

amount of \$8,135,123.70, which amount, added to the \$8,888,903.30 actually received by the State Treasury for the year ending August 31, 1928, at a tax rate of 25 cents on the one hundred dollars valuation, would give a total amount received from ad valorem taxes for the two years of \$17,024,027.00.

The Regular Session and the Special Session of the Fortieth Legislature appropriated \$50,741,404.66. In that amount was the sum of \$161,500.00 paid out of the Game, Fish & Oyster Fund, and the sum of \$1,556,680.00 paid out of the Highway Fund, making a total of

\$1,718,180.00. The Regular Session of the Forty-first Legislature repealed an act appropriating \$1,500,000.00 for the purpose of supplementing the Available School Fund, which gives a total of \$3,218,180.00 to be deducted from the appropriation of \$50,741,404.66, leaving a balance of \$47,523,224.66, to be paid out of the general revenue for the biennium ending August 31, 1929. However, the Regular Session and the First and Second Called Sessions of the Forty-first Legislature have appropriated the sum of \$2,399,927.27 out of the general revenue, which amount has been paid out of the available funds for the biennium ending August 31, 1929, making a net total of \$49,923,151.93 appropriated and paid out of the general revenue for the biennium ending Au-

gust 31, 1929. However, there was a balance on hand in the State Treasury on the 1st day of September, 1927, of \$2,363,859.20, making a total paid out of the revenue collected during the biennium ending August 31, 1929, of \$47,559,292.73, this amount being spent as above stated at a tax rate of 25 cents on the one hundred dollars valuation for the year ending August 31, 1928, and a tax rate of 22 cents on the one hundred dollars valuation for the year ending August 31, 1929.

The amounts of money carried in the bills which have been agreed upon by the Senate and the House for the biennium ending August 31, 1931, some of which bills have not been adopted by either House, are as follows:

Departmental Bill, \$12,615,225.50, \$1,930,880.50 of which comes out of the State Highway Fund and the Game, Fish and Oyster Fund, making a total of	\$10,784,345.00
Appropriated out of the General Revenue Fund.	
Judiciary Bill	5,060,000.00
Rural Aid	5,500,000.00
Eleemosynary Bill	10,482,836.00
There are appropriation bills pending which will likely pass each House in the following amounts:	
Alamo appropriation	250,000.00
Removing Texas Dead Heroes	9,000.00
Rural Aid emergency	450,000.00
Crockett Monument	100,000.00
Underground Water Supply Survey	50,000.00
Mediterranean Fruit Fly Survey	15,000.00
Claims, Accounts, deficiencies and miscellaneous appropriations, possibly	750,000.00
Total	\$33,136,181.00

Other sums have been included by the Chairman of the Appropriation Committee of the House, in which he estimates that various bills pending will total \$34,000,000.00. The Governor has a right to exercise his veto on any or all of the above bills or any item in the bills.

The estimate of the Comptroller's Department, though made according to the manner prescribed by law, does not reflect the true situation as actually exists in the collection of ad valorem taxes, as is shown by comparing the taxes levied with the taxes collected, as shown from the records of the Comptroller's Department.

For the year 1925, the total valuation of property upon which ad valorem tax was levied was \$3,602,217.082.00, and the tax rate was 35

cents on the one hundred dollars, making a total of \$12,607,759.78 taxes levied, upon which was collected for the year 1925 the sum of \$10,499,914.35, leaving \$2,207,845.43 delinquent taxes for the year 1925. However, \$1,845,449.97 delinquent taxes were collected, leaving \$362,395.46 of the total unpaid, or approximately 3 per cent of the taxes levied for the year 1925.

For the year 1926, the total valuation was \$3,644,823.070.00 with a tax rate of 35 cents, making a total of \$12,756,880.74 levied upon which was collected for the year 1926 the sum of \$10,950,290.09, leaving \$1,706,590.65 delinquent taxes for the year 1926. However, \$1,801,047.27 delinquent taxes were collected during the year 1926, making a total of \$94,456.62 taxes collected more than

the taxes levied for the year 1926.

For the year 1927, the total valuation of property was \$3,899,957.-777.00 with a tax rate of 23 cents, making a total of \$8,969,905.18 taxes levied, upon which was collected the sum of \$7,675,752.77, leaving a total of delinquent taxes for the year of 1927 of \$1,294.-152.41. However, there was collected \$2,099,889.80 delinquent taxes, making a total of \$805,737.39 more taxes collected during the year 1927 than was levied during said year.

For the year 1928, the valuation of the property assessed was \$3.-961,426,097.00, upon which was levied a tax rate of 22 cents, making a total of \$8,715,137.41 assessed, upon which was collected \$8,888,903.36, making a total of \$173,765.95 more taxes collected upon the assessed valuation for the year 1928 than was actually assessed, plus \$2,189,550.68 collected as delinquent taxes, giving a grand total of \$2,363,316.63 more taxes collected during the year 1928 than was actually assessed against the property valuation. Therefore, it is easily seen that the discount of 20 per cent on ad valorem taxes as allowed by the Comptroller in the manner provided by law is an error as the tax situation actually exists, as shown by the records of the Comptroller's Department. Therefore, it is our conclusion that the deduction of 20 per cent for assessing and collecting delinquent taxes required by law does not reflect the true conditions, and that a 35 cent tax rate will produce, in addition to the \$20,745.-700.94, as shown by the Comptroller in his statement, an additional sum of \$5,186,425.20 or more, or a total of \$25, 932. 126.17 will be collected and credited to the general fund of the State of Texas, if a tax rate of 35 cents be levied per one hundred dollars for the year ending August 31, 1930, and 1931. By taking into consideration the history of the past five years in the collection of taxes, it is safe to predict that, upon a tax rate of 35 cents on the one hundred dollars valuation, the State will receive \$54,972,412.15 revenue for the next two years. If the State should be as fortunate in the collection of delinquent taxes for the next biennium as it was during the year 1928,

when it collected an excess of \$2.-363,316.63 more than the total taxes levied for the year, the Treasury would be enriched \$4,726,633.26 more than the estimate above given.

It is our opinion that a tax rate of 28 cents on the one hundred dollars valuation, added to all other sources of revenue as outlined above will be necessary to raise \$50,000.-000.00.

With all of the above facts before the Free Conference Committee on the Educational Appropriation bill, the Committee appointed by the Senate has agreed to reduce the Senate Educational bill totalling \$20,800.-000.00 down to \$17,000,000.00 for the next biennium. The Committee appointed on the part of the House originally proposed to make the amount \$16,000,000.00, but upon instructions given by the House of Representatives, the Committee has been instructed to stand for \$16.-500,000.00. Since the House has instructed their part of the Free Conference Committee, there has been no further meeting of the Committee, and no agreement has been reached of any kind.

SEVENTEENTH DAY.

(Continued.)

Senate Chamber,
Austin, Texas,
Friday, June 29, 1929.

The Senate met at 10 o'clock a. m., pursuant to recess, and was called to order by Lieutenant Governor Barry Miller.

House Bill No. 6.

The question recurred upon the passage of the substitute for H. B. No. 6 to third reading.

Senator Stevenson sent up the following written point of order:

Senate Chamber,
Austin, Texas, June 29, 1929.
Hon. Barry Miller, President of the Senate.

I raise the point of order that H. B. No. 6, as amended, is out of order because it is unconstitutional.

It includes in the body of the bill two subjects in contravention of Section 35, Article 3 of the Constitu-